



# Meredith International Centre Specific Plan Amendment Final Environmental Impact Report

Prepared for:  
City of Ontario  
303 East B Street  
Ontario, CA 91764

March 2015



**FINAL ENVIRONMENTAL IMPACT REPORT**

for the

***Meredith International Centre SPA***

State Clearinghouse Number:

2014051020

**March 2015**

Prepared for:

City of Ontario  
303 East B Street  
Ontario, CA 91764

Prepared by:

Applied Planning, Inc.  
5817 Pine Avenue, Suite A  
Chino Hills, CA 91709

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# 1.0 INTRODUCTION

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# **1.0 INTRODUCTION**

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## **1.1 OVERVIEW**

This document, combined with the Draft Environmental Impact Report (DEIR), constitutes the Final EIR for Meredith International Centre SPA (Project). The DEIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The DEIR was circulated for public review and comment from January 30 through March 16, 2015.

## **1.2 CONTENT AND FORMAT**

Subsequent to this introductory Section 1.0, Section 2.0 of this Final EIR presents revisions and errata corrections to the DEIR text. Responses to comments received on the DEIR are presented at Final EIR Section 3.0. The EIR Mitigation Monitoring Plan is presented at Final EIR Section 4.0.

## **1.3 DRAFT EIR COMMENTORS**

### **1.3.1 Overview**

The complete list of Draft EIR commentors, along with copies of comment letters and responses to comments, is presented at Section 3.0 of this Final EIR. The following list identifies the comment letters received in regard to the Draft EIR:

- Governor's Office of Planning and Research, State Clearinghouse
- California Department of Fish and Wildlife
- South Coast Air Quality Management District
- San Bernardino County, Department of Public Works
- City of Fontana

### **1.3.2 Presentation of Comments and Responses**

All comment letters received in regard to the Draft EIR are included, along with corresponding responses, in their entirety at Final EIR Section 3.0, “Comments and Responses.”

## **1.4 LEAD AGENCY AND POINT OF CONTACT**

The Lead Agency for the Project and EIR is the City of Ontario. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Mr. Richard Ayala, Senior Planner  
City of Ontario  
303 East “B” Street  
Ontario, CA 91764

## **1.5 PROJECT SUMMARY**

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project’s potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

The Meredith International Centre Specific Plan Amendment Project (Project, Meredith SPA, SPA) proposes a mix of industrial, commercial, and residential land uses within five planning areas on approximately 257 acres located in the northern portion of the City of Ontario, within San Bernardino County. The Project also includes on-site supporting infrastructure, parking, landscaping/hardscaping, and signs. The Project would further implement off-site improvements necessary to ensure safe and efficient operations.

### **1.5.1 Project Location**

The site is generally located north of Interstate 10 (I-10), between Vineyard Avenue on the west and Archibald Avenue on the east. The northern boundary of the site, between Vineyard Avenue and Cucamonga Creek Channel, is formed by Fourth Street. Existing San Bernardino County Flood Control facilities form the northern boundary for the portion of the site located east of Deer Creek Channel.

## 1.5.2 Project Overview

The Meredith SPA proposes a mix of industrial, commercial, and residential land uses within five (5) planning areas, as detailed in Table 1.5-1 and presented graphically at Figure 1.5-1. Together with necessary supporting improvements, the Project proposes up to 3,007,000 square feet of industrial-type land uses, 1,143,000 square feet of urban commercial uses, and development of up to 1,400 residential and overnight lodging units. It is noted here that the location and sizes of proposed uses within the Project site are approximate, but considered accurate for planning and environmental evaluation purposes. Ultimate configuration and orientation of uses proposed by the Project are subject to City review and approval. Please refer also to the expanded characterization of the Planning Areas and associated land uses presented at Draft EIR Section 3.0, "Project Description," and the *Meredith International Centre Specific Plan Amendment*.

**Table 1.5-1  
Meredith International Centre SPA  
Proposed Land Uses**

Planning Area	Land Use <sup>1</sup>	Acreage	Square Footage	Residential Units	Overnight Lodging Units
1	Industrial	146.6	3,007,000	-	-
1A <sup>2</sup>	Industrial	2.0		-	-
2	Urban Commercial	43.7	650,000	-	200 <sup>3</sup>
3	Urban Commercial	25.3	480,000	-	400 <sup>3</sup>
4	Urban Residential	21.4	-	800	-
5 (Existing)	Urban Commercial	2.7	13,000 <sup>4</sup>	-	-
Roadway Modifications		16.0	-	-	-
<i>Total</i>		<i>257.7</i>	<i>4,150,000</i>	<i>800<sup>5</sup></i>	<i>600<sup>5</sup></i>

**Source:** Conceptual Land Use Plan for the Meredith International Centre (T&B Planning) January 2015.

**Notes:**

<sup>1</sup> Please refer to Table 5-1 of the Meredith SPA for uses permitted within these land use categories.

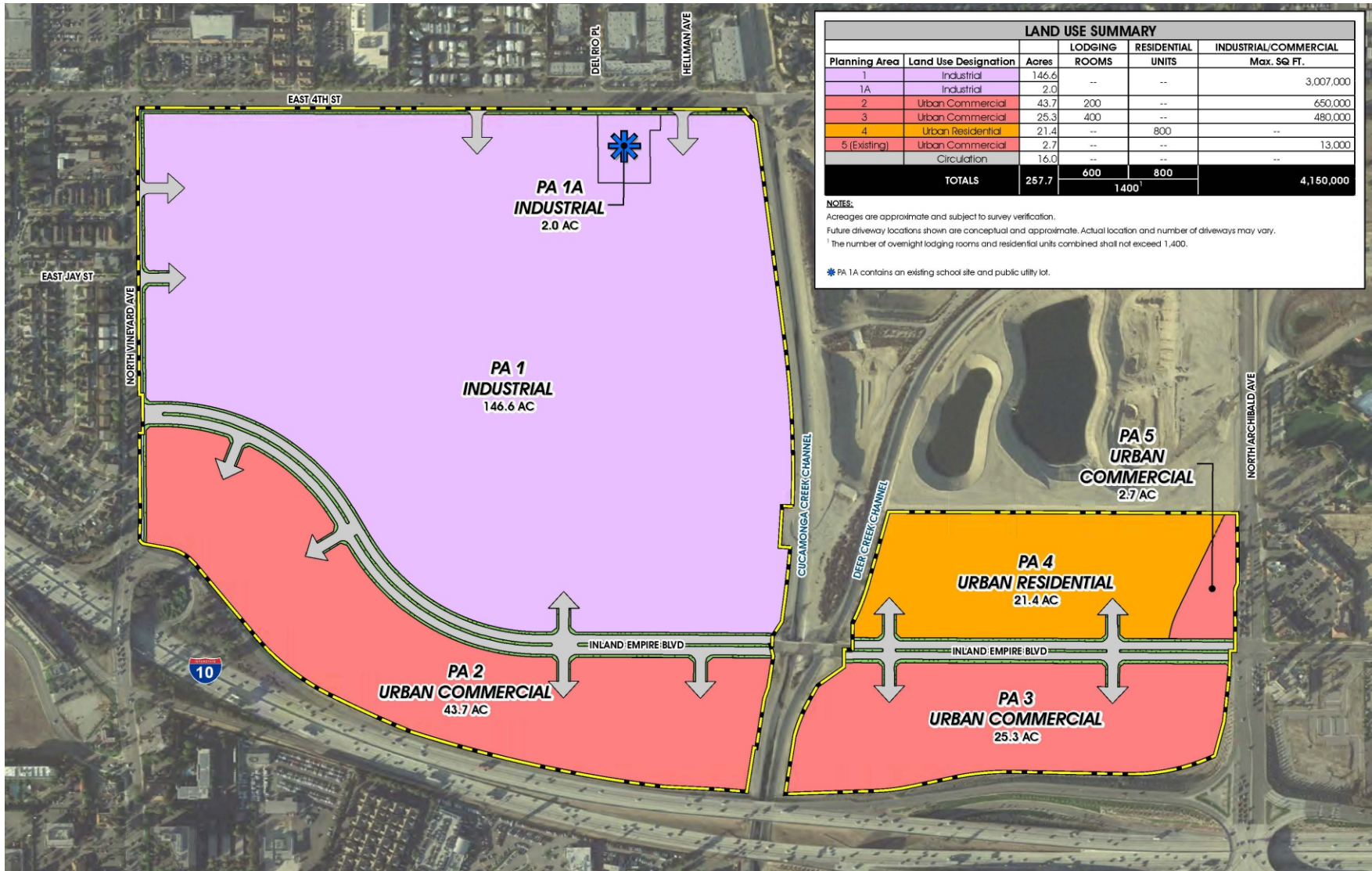
<sup>2</sup> The Meredith SPA assumes continuation of educational/school activities at the Italo M. Bernt Elementary School site within Planning Area 1A. Should the Planning Area be redeveloped at a later date, the maximum allowable building area square footage would not exceed that of the existing School building (6,767 square feet). In the event that Planning Area 1A redevelops in conjunction with the development of Planning Area 1, the total combined building area of both Planning Areas shall not exceed 3,007,000.

<sup>3</sup> The number of lodging units is included in the square footage totals of Planning Areas 2 and 3.

<sup>4</sup> Approximate square footage of existing uses.

<sup>5</sup> The maximum number of overnight lodging units and residential units combined shall not exceed 1,400.





LAND USE SUMMARY					
Planning Area	Land Use Designation	Acres	LODGING	RESIDENTIAL	INDUSTRIAL/COMMERCIAL
			ROOMS	UNITS	Max. SQ. FT.
1	Industrial	146.6	--	--	3,007,000
1A	Industrial	2.0	--	--	--
2	Urban Commercial	43.7	200	--	650,000
3	Urban Commercial	25.3	400	--	480,000
4	Urban Residential	21.4	--	800	--
5 (Existing)	Urban Commercial	2.7	--	--	13,000
	Circulation	16.0	--	--	--
<b>TOTALS</b>		<b>257.7</b>	<b>600</b>	<b>800</b>	<b>4,150,000</b>
			1400 <sup>1</sup>		

**NOTES:**  
 Acreages are approximate and subject to survey verification.  
 Future driveway locations shown are conceptual and approximate. Actual location and number of driveways may vary.  
<sup>1</sup> The number of overnight lodging rooms and residential units combined shall not exceed 1,400.

★ PA 1A contains an existing school site and public utility lot.



NOT TO SCALE

Source: T&B Planning, Inc.



Figure 1.5-1  
Land Use Plan

### 1.5.3 Project Objectives

The primary goal of the Project is the development of the subject site with a productive mix of industrial, commercial/retail, and residential uses. Complementary Project Objectives include the following:

- Create an integrated development that provides a full range of employment opportunities near residential uses.
- Create a planned development wherein commercial uses would benefit from the site's freeway visibility.
- Develop industrial uses that would support the Ontario International Airport and that would benefit from the Airport's proximity.
- Construct residential uses proximate to employment opportunities and commercial services.
- Provide an industrial park supporting varied warehouse distribution and industrial tenants.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Cluster industrial uses near existing roadway and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Complete the urbanization of the area north of I-10 and east of Vineyard Avenue with necessary infrastructure while incorporating high quality, consistent design standards.
- Provide infrastructure and public improvements necessary to support each increment of Project development, and the Project in total.
- Establish new development that would further the City's near-term and long-range fiscal goals.

## 1.5.4 Discretionary Actions

### 1.5.4.1 Lead Agency Discretionary Actions and Permits

Requested decisions, or discretionary actions, necessary to realize the Project include, but may not be limited to the following:

- Certification of the Meredith International Centre Specific Plan Amendment EIR;
- Adoption of the Meredith International Centre Specific Plan Amendment;
- Approval of Policy Plan (General Plan) Amendments including, but not limited to:
  - Amendment(s) to narrative descriptions for the “Mixed Use – Meredith” land use area to reflect the type and scope of uses proposed by the Project.
  - Amendment of the Land Use Map to incorporate the Italo M. Bernt Elementary School site (approximately 2.0 acres) within the boundaries of the “Meredith Mixed Use Area.”
- TOP Exhibit LU-04 would need to be amended to remove this site from the Ontario Airport Metro Center growth area.
- Approval of Zone Change;
- Approval of Parcel Maps;
- Development Plan Approval for Planning Areas 1 and 1A;
- Approval of Development Plan Entitlements for other Meredith SPA Planning Areas, contingent on their consistency with the adopted SPA;
- Adoption of a Development Agreement; and

- Approval of Conditional Use Permit(s) for certain uses identified by the Meredith SPA. Please refer to the Meredith SPA document (EIR Appendix B) Section 5.D., “Permitted, Conditional and Ancillary Uses.”

#### **1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation**

*CEQA Guidelines* Section 15124 also states that the EIR should, to the extent known, include a list of all the agencies expected to use the EIR in their decision-making (Responsible Agencies) and a list of permits and other approvals required to implement the project. Based on the current Project design concept, the anticipated permits to realize the proposal (and associated Responsible Agencies) will likely include, but are not limited to, the following:

- Permitting through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City’s National Pollutant Discharge Elimination System (NPDES) Permit;
- Permitting through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area;
- Permitting may be required by/through Caltrans to allow for any necessary modifications to Caltrans facilities, including but not limited to work within or encroachment upon Caltrans rights-of-way; and
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.

## **2.0 REVISIONS AND ERRATA CORRECTIONS**

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## **2.0 REVISIONS AND ERRATA CORRECTIONS**

### **2.1 INTRODUCTION**

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. Text changes are presented under the chapter or topical section of the Draft EIR where they are located. The revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

### **2.2 REVISIONS**

#### **2.2.1 Revisions to Section 3.0, Project Description**

Southern California Edison (SCE) has provided further details regarding provision of temporary electrical service to the Project site, and this information is incorporated in the Project Description. Potential impacts of temporary provision of electrical services, as conceptually outlined below, are considered and addressed within the scope of the EIR analyses. Results and conclusions of the EIR are not affected.

##### **3.4.5.5 Dry Utilities**

The Specific Plan area receives electrical service from Southern California Edison (SCE), natural gas service from the Southern California Gas Company, and cable service from Time Warner Cable. Electricity, gas, and cable lines are currently installed within Vineyard Avenue, Fourth Street,

and Archibald Avenue. As part of the Project, new lines would be installed within Inland Empire Boulevard, Jay Street, and Del Rio Place to fully service the Specific Plan area.

### Temporary Electrical Service

To allow for, and facilitate Project construction activities, temporary SCE electrical services would be provided to the Project area as described below:

- Beginning from the north-east corner of Vineyard Avenue and Inland Empire Boulevard, SCE will be installing a combination of vaults, pads, ducts, cables, high-voltage switches, transformers, capacitors, and other various electrical equipment required for distribution, control, and operation of the utility electrical system - submersible, pad-mounted, underground and temporary overhead - along the north side of Inland Empire Boulevard (existing and proposed), 40'-to-50' north of centerline, to Vineyard Avenue.
- SCE's aforementioned electrical system will additionally extend from Inland Empire Boulevard to the east-and-west and north-and-south sides of the proposed streets - Del Rio Place and Jay Street, respectively. Electrical utility infrastructure will be installed approximately 30'-to-40' from centerline to east-and-west/north-and-south sides of Del Rio Place and Jay Street, respectively.
- A temporary overhead crossing, approximately 50' north of the centerline of Inland Empire Boulevard, consisting of approximately 4-to-5 distribution poles, conductors/cables, and other various utility distribution equipment, will be used to cross Cucamonga and Deer Creeks, spanning the creeks' approximate 220' span, to include 200' in each direction from outside east/west edges of creeks.

- A permanent underground crossing, consisting of vaults, ducts and cable, will be installed under Cucamonga and Deer Creeks, on the north side of Inland Empire Boulevard, approximately 40'-to-50' north of centerline, to replace the temporary overhead crossing. The permanent underground crossing is planned to be installed in one of three methods: attached to the underside of Cucamonga and Deer Creeks, steel-case bore installed underneath both creeks, or attached to a new proposed pedestrian bridge.
- Beginning at the new intersection of Inland Empire Boulevard and Vineyard Avenue, SCE will be undergrounding the existing overhead system on the east side of Vineyard Avenue to underground. A combination of vaults, pads, ducts, cables, high-voltage switches, transformers, capacitors, and other various electrical equipment required for distribution, control, and operation of the utility electrical system – submersible, pad-mounted, underground and temporary overhead – will be installed along the east side of Vineyard Avenue, approximately 70'-to-85' east of centerline.

## 2.2.2 Revisions to Draft EIR Section 4.3, Air Quality

In response to comments received from the South Coast Air Quality Management District (SCAQMD), Mitigation Measure 4.3.3 has been universally revised as follows. Results and conclusions of the EIR are not affected.

~~4.3.3 During grading activity, all rubber tired dozers and scrapers ( $\geq 150$  horsepower) shall be CARB Tier 3 Certified or better. Additionally, during grading activity, total horsepower hours per day for all equipment shall not exceed 149,840; and the maximum (actively graded) disturbance area shall not exceed 26 acres per day. Construction contractors for development proposals within the Project site shall ensure implementation of, and compliance with, the following provisions and performance standards:~~



- Equipment meeting CARB Tier 4 standards is recommended for use if such equipment is available. All construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.<sup>1</sup>
- Diesel trucks employed for site construction activities shall meet Environmental Protection Agency (EPA) 2007 model year NO<sub>x</sub> emissions requirements.
- A copy of each piece of construction equipment's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Construction contractors are encouraged to apply for SCAQMD Surplus Off-Road Opt-In for NO<sub>x</sub> (SOON) funds. Please contact SCAQMD or refer to information provided at: <<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>>

In addition, measures recommended by SCAQMD are universally incorporated as new Mitigation Measure 4.3.5.1, provided below. Results and conclusions of the EIR are not affected.

4.3.5.1 The following measures shall be implemented in order to reduce Project operational-source VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> emissions:

- The Lead Agency shall consider incentives and phase-in schedules for alternatively fueled trucks.

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<sup>1</sup> Equipment meeting Tier 4 standards is not generally or widely available at present.

- The final Project site plan(s) shall be designed such that any truck check-in points are located sufficiently interior to the Project site to preclude queuing of trucks onto public streets and minimize truck idling times.<sup>2</sup>
- Truck routes shall be clearly marked acting to minimize the potential for truck traffic through residential areas.
- Truck operators with year 2006 or older trucks shall apply in good faith for Carl Moyer, VIP, Prop 1B or similar funding to replace/retrofit their trucks with cleaner-than-required engines, equipment, and emission reduction technologies. Should funds be awarded, the recipient shall accept and use them for their intended purpose(s).
- Electrical panels for warehouse facilities shall be appropriately sized to allow for future expanded use to include electric charging for trucks and to provide power for onboard auxiliary equipment.
- Residential products developed within the Project site shall utilize Energy Star heating, cooling, and lighting devices; and Energy Star appliances.
- Use of outdoor lighting shall be limited to that needed for safety and security purposes.
- Sweepers employed within the Project site shall be non-diesel. Sweepers equipped with High-Efficiency Particulate Arrestance (HEPA) filters are recommended for use if such equipment is available.
- Cleaning products shall be water based, or shall be AQMD-certified as "low-VOC" content.

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<sup>2</sup> Note also that pursuant to requirements of the proposed *Meredith International Centre Specific Plan Amendment (Specific Plan Amendment, DEIR Appendix B)* "If entry gates are used, they shall be positioned to allow enough distance for the stacking of at least two (2) trucks on the lot to preclude queuing of trucks on public streets" (Specific Plan Amendment, Section 5.0 E., *Industrial Development Standards*, p. 5-9). The City would ensure compliance with requirements of the Specific Plan Amendment through established City design and development review processes.

### 2.2.3 Revisions to Draft EIR Section 4.9, Biological Resources

In response to comments received from the California Department of Fish and Wildlife (CDFW), Mitigation Measures 4.9.1 and 4.9.2 have been universally revised as follows. Results and conclusions of the EIR are not affected.

*4.9.1 ~~Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all~~ All suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*

*4.9.2 ~~Burrowing Owl Avoidance: Breeding season avoidance measures for the burrowing owl including, but not limited to, those that follow shall be implemented. A pre-construction survey for resident burrowing owls shall be conducted by a qualified Project Biologist within 14~~ 30 days prior to construction activities. If ground-disturbing activities are delayed or suspended for more than 14 ~~30~~ days after the pre-construction survey, the site will be resurveyed for owls. Pre-construction survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report on Burrowing Owl Mitigation (CDFW) March 7, 2012 (CDFW Burrowing Owl Mitigation Staff Report). Results of the pre-construction survey shall be*

provided to CDFW and the City. Should any burrowing owl be found on site, CDFW shall be notified of such within 24 hours. If the pre-construction survey does not identify burrowing owls on the Project site, then no further mitigation shall be required. If burrowing owls are found to be utilizing the Project site during the pre-construction survey, measures shall be developed by the Project Biologist in coordination with CDFW to avoid impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and would minimally include establishment of buffer setbacks from occupied burrows and owl monitoring during Project construction activities.

#### **2.2.4 Revisions to Draft EIR Section 4.11, Cultural Resources**

Typographical errors appearing in Mitigation Measures 4.11.1 and 4.11.4 are universally corrected as follows. Results and conclusions of the EIR are not affected.

*4.11.1 Prior to development approval on the Project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the Project applicant(s) shall include the following wording on all construction contract documentation:*

*“If during grading or construction activities, cultural resources are discovered on the Project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and any affected Tribes (Tribes). Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and if the qualified archaeologist and the Tribe determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5 and 15126.4 and*

*Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required under Mitigation Measure ~~4.9.2~~ 4.11.2.”*

*4.11.4 All cultural materials, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by Mitigation Measure ~~4.9.2~~ 4.11.2, that are collected during the grading monitoring program and from any previous archeological studies or excavations on the Project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the affected Tribe’s/Tribes’ curation facility(ies), which meets the standards set forth in 36 CRF Part 79 for federal repositories.*

## **3.0 COMMENTS AND RESPONSES**

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## 3.0 COMMENTS AND RESPONSES

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### 3.1 INTRODUCTION

The following Section presents written comments received pursuant to public review of the DEIR, and provides responses to those comments as required by California Code of Regulations, title 14 (hereinafter, “State CEQA Guidelines”) Sections 15089, 15132, and 15088. Specifically, CEQA Guidelines Section 15088, subd. (a) requires that: “[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The 45-day comment period on the Draft EIR commenced on January 30 and concluded March 16, 2015.

In summary, the City’s written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City’s written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR’s conclusions.

#### 3.1.1 Comments Received

The following Section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been generally organized by state agencies; county, city, and local agencies; utilities; and local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all DEIR commentors and the designation assigned to each. Commentor correspondence and

correlating responses are presented subsequently. Comments have been reproduced verbatim and without grammatical or typographical correction.

**Table 3-1  
DEIR Commentors**

<b>Commentor</b>	<b>Acronym Assigned</b>	<b>Correspondence Date</b>
<b>State Agencies</b>		
State Clearinghouse	SCH	March 6, 2015
California Department of Fish and Wildlife	CDFW	March 13, 2015
South Coast Air Quality Management District	AQMD	March 13, 2015
<b>County Agencies</b>		
San Bernardino County, Department of Public Works	DPW	March 11, 2015
<b>Local Agencies</b>		
City of Fontana	COF	February 17, 2015





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## Meredith International Centre Specific Plan Amendment

**SCH Number:** 2014051020

**Document Type:** EIR - Draft EIR

**Project Lead Agency:** Ontario, City of

### Project Description

The project represents an amendment to the Meredith International Centre Specific Plan, originally adopted in 1981, and would realize ~3 million sf of industrial uses, 1.1 million sf of commercial uses, and up to 800 residential unit son ~257 acres.

### Contact Information

#### Primary Contact:

Richard Ayala  
City of Ontario  
(909) 395-2036  
303 East B Street  
Ontario, CA 91764

### Project Location

County: San Bernardino  
City: Ontario  
Region:  
Cross Streets: Vineyard Avenue/4th Street  
Latitude/Longitude: 34° 04' 34.31" / 117° 36' 34.91" [Map](#)  
Parcel No: 0110-311-26, 33, various  
Township: 1S  
Range: 7W  
Section: 22  
Base:  
Other Location Info:

### Proximity To

Highways: I-10  
Airports: Ontario International  
Railways: Metrolink  
Waterways:  
Schools: 8 ES, 2 MS, 1 HS, 3 Private  
Land Use: Largely vacant, with the exception of a small school use and existing commercial uses. The vast majority of the project site is designated as "Mixed Use - Meredith," with a zoning designation of "Specific Plan" (SP). The school site is designated as "Public School" and is zoned "Public Facility".

### Development Type

Residential, Commercial, Industrial

### Local Action

General Plan Amendment, Specific Plan, Subdivision, Site Plan, Use Permit

### Project Issues

Air Quality, Archaeologic-Historic, Biological Resources, Geologic/Seismic, Noise, Population/Housing Balance, Public Services, Toxic/Hazardous,

Traffic/Circulation, Vegetation, Water Quality, Landuse, Cumulative Effects, Other Issues (GHGE), Aesthetic/Visual

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**Reviewing Agencies** (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Air Resources Board; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

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**Date Received:** 1/30/2015   **Start of Review:** 1/30/2015   **End of Review:** 3/16/2015

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STATE OF CALIFORNIA  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
STATE CLEARINGHOUSE  
SCH No. 2014051020

Letter Dated March 6, 2015

Response SCH-1

State Clearinghouse receipt of the Meredith International Centre Specific Plan Amendment Draft EIR is acknowledged, as is the distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2014051020) and dates of the public review period for the Draft EIR (January 30 through March 16, 2015) are also acknowledged.



State of California - Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Inland Deserts Region  
 3602 Inland Empire Blvd., Suite C-220  
 Ontario, CA 91764  
 (909) 484-0459  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

*EDMUND G. BROWN, Jr., Governor*  
*CHARLTON H. BONHAM, Director*



March 13, 2015

Mr. Richard Ayala  
 Senior Planner  
 City of Ontario  
 303 E. B Street  
 Ontario, CA 91764

Subject: Draft Environmental Impact Report  
 Meredith International Centre Plan Amendment  
 State Clearinghouse No. 2014051020

Dear Mr. Ayala:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Meredith International Centre Plan Amendment (Project) [State Clearinghouse No. 2014051020]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

CDFW-1

The Project site is located north of Interstate 10, between Vineyard Avenue on the west, Archibald Avenue on the east, and 4<sup>th</sup> Street and existing San Bernardino Flood Control facilities in the north, in the City of Ontario, County of San Bernardino; Assessor's Parcel Numbers (APNs) 0110-311-12, -15, -21, -24, -26, -28, -32, -33, -36, -37, -43, and -44.

CDFW-2

The City of Ontario proposes to amend the Meredith International Centre Specific Plan to allow for the development of approximately 3 million square feet of industrial uses, 1.1 million square feet of commercial uses, and up to 800 residential units on approximately 257 acres.

CDFW-3

Following review of the Biological Resources section of the DEIR, the Department offers the comments and recommendations listed below to assist Metropolitan in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation,

CDFW-4

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protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).

CDFW-4  
 cont'd.

*Nesting Birds*

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

CDFW-5

Mitigation Measure 4.9.1 stipulates that if possible, vegetation removal shall be scheduled from August 1 to February 1 in order to avoid impacts to nesting birds. Please note that some species of raptors (e.g., owls) may commence nesting activities in January, and passerines may nest later than August 1. The Department encourages the Lead Agency to complete nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. The Department also recommends that surveys occur over the entirety of the Project site, and not be limited to those areas with shrubs and trees. Not all bird species nest in vegetation; some species nest directly on the ground. As mentioned previously, it is the Lead Agency's responsibility to ensure that the Project complies with all applicable laws related to nesting birds and birds of prey, and that violations of these laws do not occur.

CDFW-6

*Burrowing Owl*

Suitable habitat for burrowing owl, a California Species of Special Concern, occurs on the Project site. Mitigation Measure 4.9.2 states that breeding season avoidance measures for burrowing owl shall include a pre-construction survey for resident owls to be conducted within 30 days prior to construction activities. The Department recommends that a pre-activity take avoidance survey for burrowing owl be conducted no more than 14 days before ground disturbance activities regardless of the time of

CDFW-7

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year, as outlined in Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation, which can be found here: [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html). The Department requests to be notified immediately should any burrowing owl be found onsite.

CDFW-7  
 cont'd

#### *Impacts to Sensitive Species*

California horned lark, a California Species of Special Concern, was observed onsite. Please provide an analysis of potential impacts to this species. Due to the fact that suitable habitat occurs onsite, the Department recommends that focused surveys be conducted for California horned lark.

CDFW-8

San Bernardino aster and San Diego ambrosia are both listed as "unlikely" to occur onsite. However, the habitat listed for each includes disturbed grassland areas, which make up the majority of the site. Please clarify how this conclusion was reached.

CDFW-9

#### *Impacts to Sensitive Natural Communities*

The DEIR does not include a mitigation proposal for impacts to the 18.6 acres of Riversidean sage scrub (RSS) that has been mapped onsite. The Department considers RSS to be a sensitive natural community which is vulnerable to the expanding development in the region. Please provide an analysis of the Project impacts to RSS, including appropriate mitigation measures.

CDFW-10

#### *Lake and Streambed Alteration Program*

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

CDFW-11

The Department's website has additional information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds" at this location: <http://www.dfg.ca.gov/habcon/1600/1600resources.html>.

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Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" (MESA Guide) available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html> Please review page 9 of the MESA Guide. Please also refer to page E-14, which includes the definition of stream used by the Department's Lake and Streambed Alteration Program.

CDFW-12

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

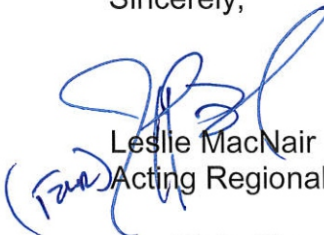
- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

CDFW-13

The Department appreciates the opportunity to comment on the DEIR for the Meredith International Centre Plan Amendment (SCH No. 2014051020) and requests that the Department's comments be addressed in the Final EIR (FEIR). If you should have any questions pertaining to this letter, please contact Gabriele Quillman at [gabriele.quillman@wildlife.ca.gov](mailto:gabriele.quillman@wildlife.ca.gov) or 909-980-3818.

CDFW-14

Sincerely,

  
 Leslie MacNair  
 Acting Regional Manager

cc: State Clearinghouse, Sacramento

California Department of Fish and Wildlife  
Inland Deserts Region  
3602 Inland Empire Boulevard, Suite C-220  
Ontario, CA 91764

Letter Dated March 13, 2015

Comment CDFW-1

*The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Meredith International Centre Plan Amendment (Project) [State Clearinghouse No. 2014051 020]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711 .7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).*

Response CDFW-1

The Lead Agency acknowledges, and herein responds to, comments provided by the Department of Fish and Wildlife (CDFW, Department). The Department's authority, jurisdiction, roles and responsibilities as Trustee Agency and Responsible Agency are recognized.

Comment CDFW-2

*The Project site is located north of Interstate 10, between Vineyard Avenue on the west, Archibald Avenue on the east, and 4th Street and existing San Bernardino Flood Control facilities in the north, in the City of Ontario, County of San Bernardino; Assessor's Parcel Numbers (APNs) 0110-311 - 12, -15, -21, -24, -26, -28, -32, -33, -36, -37, -43, and -44.*



Response CDFW-2

Location of the Project site as summarized by the commentor is materially correct. Results and conclusion of the EIR are not affected.

Comment CDFW-3

*The City of Ontario proposes to amend the Meredith International Centre Specific Plan to allow for the development of approximately 3 million square feet of industrial uses, 1.1 million square feet of commercial uses, and up to 800 residential units on approximately 257 acres.*

Response CDFW-3

To clarify, the Project Applicant (not the City) proposes to amend the Meredith International Centre Specific Plan to allow for the development of the Project uses (approximately 3 million square feet of industrial uses, 1.1 million square feet of commercial uses, and up to 800 residential units on approximately 257 acres). Implementation of the Project is, however, contingent on City approval of the requested Specific Plan Amendment. Results and conclusion of the EIR are not affected.

Comment CDFW-4

*Following review of the Biological Resources section of the DEIR, the Department offers the comments and recommendations listed below to assist Metropolitan [the City of Ontario] in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).*

#### Response CDFW-4

Comments and recommendations provided by the Department are acknowledged. Jurisdiction and responsibilities of the Department are acknowledged. Please refer also to Response CDFW-1. Results and conclusions of the EIR are not affected.

#### Comment CDFW-5

##### *Nesting Birds*

*It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.*

#### Response CDFW-5

As required under law, the Lead Agency, Project Applicant, and any subsequent developers within the Project site would comply with the Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.); and sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC). Results and conclusions of the EIR are not affected.

#### Comment CDFW-6

*Mitigation Measure 4.9.1 stipulates that if possible, vegetation removal shall be scheduled from August 1 to February 1 in order to avoid impacts to nesting birds. Please note that some species of raptors (e.g., owls) may commence nesting activities in January, and passerines may nest later than August 1. The Department encourages the Lead Agency to complete nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of*

prey. The Department also recommends that surveys occur over the entirety of the Project site, and not be limited to those areas with shrubs and trees. Not all bird species nest in vegetation; some species nest directly on the ground. As mentioned previously, it is the Lead Agency's responsibility to ensure that the Project complies with all applicable laws related to nesting birds and birds of prey, and that violations of these laws do not occur.

#### Response CDFW-6

Pursuant to comments provided, Mitigation Measure 4.9.1 is amended as follows:

*4.9.1 ~~Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all All suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.~~*

As noted at Response CDFW-5, as required under law, the Lead Agency, Project Applicant, and any subsequent developers within the Project site would comply with the Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*); and sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC). Monitoring by the Project Biologist as required under Mitigation Measure 4.9.1 acts to ensure that violations of these laws do not occur. Results and conclusions of the EIR are not affected.

Comment CDFW-7

*Burrowing Owl*

*Suitable habitat for burrowing owl, a California Species of Special Concern, occurs on the Project site. Mitigation Measure 4.9.2 states that breeding season avoidance measures for burrowing owl shall include a pre-construction survey for resident owls to be conducted within 30 days prior to construction activities. The Department recommends that a pre-activity take avoidance survey for burrowing owl be conducted no more than 14 days before ground disturbance activities regardless of the time of year, as outlined in Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation, which can be found here: [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html). The Department requests to be notified immediately should any burrowing owl be found onsite.*

Response CDFW-7

Pursuant to comments provided, Mitigation Measure 4.9.2 is amended as follows:

*4.9.2 Burrowing Owl Avoidance: Breeding season avoidance measures for the burrowing owl including, but not limited to, those that follow shall be implemented. A pre-construction survey for resident burrowing owls shall be conducted by a qualified Project Biologist within ~~14~~ 30 days prior to construction activities. If ground-disturbing activities are delayed or suspended for more than ~~14~~ 30 days after the pre-construction survey, the site will be resurveyed for owls. Pre-construction survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report on Burrowing Owl Mitigation (CDFW) March 7, 2012 (CDFW Burrowing Owl Mitigation Staff Report). Results of the pre-construction survey shall be provided to CDFW and the City. **Should any burrowing owl be found on site, CDFW shall be notified of such within 24 hours.** If the pre-construction survey does not identify burrowing owls on the Project site, then no further mitigation shall be required. If burrowing owls are found to be utilizing the Project site during the pre-construction survey, measures shall be developed by the Project Biologist in coordination with CDFW to avoid impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and would minimally include establishment of buffer setbacks from occupied burrows and owl monitoring during Project construction activities.*

Comment CDFW-8

*Impacts to Sensitive Species*

*California horned lark, a California Species of Special Concern, was observed onsite. Please provide an analysis of potential impacts to this species. Due to the fact that suitable habitat occurs onsite, the Department recommends that focused surveys be conducted for California horned lark.*

Response CDFW-8

As presented in *Biological Report for the Meredith International Centre Specific Plan Amendment* (Harmsworth Associates) August 2014 (Project Biological Report, DEIR Appendix I) “[a] few California horned lark were observed foraging onsite but no evidence of nesting onsite was detected” (Project Biological Report, p. 13). Suitable habitat for the lark comprises open areas with little or no ground cover, such as grass land or ruderal vegetation (Project Biological Report, p. 17). Such habitat is not unique to the Project site and is commonly encountered throughout Southern California and in the City of Ontario. It is anticipated that any horned lark potentially displaced from the Project would relocate to other available habitat areas. Any horned lark that may be nesting within the Project site at the time of Project development would be protected pursuant to Mitigation Measure 4.9.1 [as amended above]. No further surveys are determined necessary. Results and conclusions of the EIR are not affected.

Comment CDFW-9

*San Bernardino aster and San Diego ambrosia are both listed as “unlikely” to occur onsite. However, the habitat listed for each includes disturbed grassland areas, which make up the majority of the site. Please clarify how this conclusion was reached.*

Response CDFW-9

Non-native/disturbed grassland areas comprising the majority of the Project site are associated with historic grazing, disking and off-road recreational vehicle use (Draft EIR p. 4.9-4) diminishing potential viability of such areas as potential habitat for San Bernardino aster and San Diego ambrosia. Additionally, no special-status plants were observed on the Project site during the field surveys. Relevant biological resources studies conducted for the Project site (*Biological Resources Study, Meredith Property, City of Ontario, San Bernardino*

*County, California* [Michael Brandman Associates] May 21, 2012 and *Biological Report for the Meredith International Centre Specific Plan Amendment* [Harmsworth Associates] August 2014) determined that, due to the disturbed nature of the site, there are no suitable habitats for special-status plant species, including the San Bernardino aster and San Diego ambrosia to occur (Draft EIR p. 4.9-5). This is also consistent with findings of The Ontario Plan EIR (City of Ontario General Plan EIR) which concludes in pertinent part . . . “the potential for sensitive plant species to occur within the City is low due to the absence of suitable habitat, high levels of development, and history of land alteration and disturbance by agricultural activities” (The Ontario Plan Draft EIR, p. 5.4-14). On this basis, the potential for the Project site to function as viable habitat for, and the presence of the San Bernardino aster and San Diego ambrosia to occur within the Project site, is considered unlikely. Results and conclusions of the EIR are not affected.

Specific survey protocols and methodologies providing the basis for the above conclusions are presented in the Project Biological Resources Report (Report, DEIR Appendix I) and are excerpted below:

In addition to the site visit, field surveys, vegetation mapping, wildlife inventories, and habitat assessments information on the biological resources of the project site was obtained by reviewing existing available data. Databases such as the California Natural Diversity Database (CNDDDB 2014) and California Native Plant Society’s Inventory of Rare and Endangered Vascular Plants of California (Tibor 2001) were reviewed regarding the potential occurrence of any special status species or sensitive habitat within or in close proximity of the project site. The resources used in this thorough archival review included the following:

- California Natural Diversity Data Base (CNDDDB) for the USGS 7.5’ quadrangle which comprised the study area: Hesperia and neighboring quads for pertinent data;
- California Native Plant Society Inventory of rare and endangered vascular plants of California (Tibor 2001; 6th Edition of CNPS Inventory);

- Special Animals (including California Species of Special Concern), CDFG, Natural Heritage Division, January 2011;
- Special Vascular Plants, Bryophytes, and Lichens List, CDFG, Natural Heritage Division, July 2014;
- State and Federally Listed Endangered, Threatened and Rare Plants of California, CDFG, Natural Heritage Division, July 2014;
- State and Federally Listed Endangered and Threatened Animals of California, CDFG, Natural Heritage Division, March 2014;
- Review of previous biological assessment reports and species lists for the region and neighboring areas; and
- Published literature (Chesser *et al.* 2013, Sibley 2000, Small 1994, Moyle *et al.* 1995, Jennings and Hayes 1994, Stebbins 1985, Webster *et al.* 1980, Burt and Grossenheider 1976) (Project Biological Resources Report, p. 5).

The habitat assessment for special status plant species was conducted concurrently with the vegetation mapping, and concentrated on habitats with the highest potential for yielding special status species, although all areas of the project site were checked. Each habitat within the study area was traversed on foot, examining the areas for particular features such as seeps, unique geologic types, exposures, etc., that would indicate the presence of a preferred habitat for special status plant species (Project Biological Resources Report, p. 6).

#### Comment CDFW-10

##### *Impacts to Sensitive Natural Communities*

*The DEIR does not include a mitigation proposal for impacts to the 18.6 acres of Riversidean sage scrub (RSS) that has been mapped onsite. The Department considers RSS to be a sensitive natural community which is vulnerable to the expanding development in the region. Please provide an analysis of the Project impacts to RSS, including appropriate mitigation measures.*

#### Response CDFW-10

While the Department may consider Riversidean sage scrub (RSS) to be a sensitive natural community in general, RSS areas such as those existing within the Project site are

substantively degraded by human activities (i.e., disking) and are not considered by the Lead Agency to constitute a “sensitive natural community,” or an otherwise valuable or protected biological resource. More specifically, as described in the Project Biological Resources Report, RSS areas within the Project site have . . . “been highly disturbed from regular disking. In fact the scrub appears to have been mostly absent from 1994 through 2005 (Google earth aerial photographs). Recent lack of disking in this area has allowed the scrub to recover somewhat. Due to the disking the scrub currently present was of low quality and low species diversity. These areas were dominated almost entirely by California buckwheat (*Eriogonum fasciculatum*), with deerweed (*Acmispon glaber*), mulefat (*Baccharis salicifolia*) and non-native grasses also present” (Project Biological Resources Report, p. 8). As noted previously at Response CDFW-9, relevant biological resources studies conducted for the Project site (*Biological Resources Study, Meredith Property, City of Ontario, San Bernardino County, California* [Michael Brandman Associates] May 21, 2012 and *Biological Report for the Meredith International Centre Specific Plan Amendment* [Harmsworth Associates] August 2014) determined that, due to the disturbed nature of the site, there are no suitable habitats for special-status plant species to occur (Draft EIR p. 4.9-5). Moreover, The Ontario Plan EIR at p. 5.4-14, et al. reaches this same conclusion for the City in general.

Project development would result in removal of the 18.6 acres of highly disturbed areas of RSS occurring within the Project site. These nominal and degraded areas of RSS within the Project site are however not considered to be of substantive or intrinsic biological value, or of substantive or intrinsic value as habitat. Removal of these areas is therefore not considered a potentially significant impact. No mitigation for loss of these areas is proposed. Results and conclusions of the EIR are not affected.

#### Comment CDFW-11

##### *Lake and Streambed Alteration Program*

*For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or “entity”) must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA)*



*Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21 065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.*

*The Department's website has additional information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds" at this location:*

*<http://www.dfg.ca.gov/habcon/1600/1600resources.html>*

#### Response CDFW-11

Pursuant to EIR Mitigation Measure 4.9.6, the Project Applicant is required to obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from CDFW. The Project Applicant would consult with CDFW at the earliest date practicable in order to avoid or reduce any potential impacts to fish and wildlife resources. For ease of reference, Mitigation Measure 4.9.6 is excerpted below:

*4.9.6 Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from the California Department of Fish and Wildlife. Information to be provided as part of the Streambed Alteration Agreement (if required) shall include but not be limited to the following:*

- Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);*
- Discussion of avoidance measures to reduce project impacts; and*
- Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.*

*Written verification of such a streambed alteration agreement/permit, or waiver, shall be provided to the City of Ontario Planning Department.*

With implementation of Mitigation Measure 4.9.6, potential Lake and Streambed Alteration impacts are considered less-than-significant. Result and conclusions of the EIR are not affected.

#### Comment CDFW-12

*Additional information can also be found in “Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide- Final Project Report” (MESA Guide) available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html>. Please review page 9 of the MESA Guide. Please also refer to page E-14, which includes the definition of stream used by the Department’s Lake and Streambed Alteration Program.*

#### Response CDFW-12

Additional source information cited by CDFW is acknowledged. Note that the Project does not propose or require a “Utility-Scale Solar Power Plant.” Results and conclusions of the EIR are not affected.

#### Comment CDFW-13

*The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project’s environmental document could preclude the Department from relying on the Lead Agency’s analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:*

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);*

- 2) *Discussion of avoidance and minimization measures to reduce project impacts; and,*
- 3) *Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.*

Response CDFW-13

Preliminary design concepts currently available for the Project do not lend themselves to meaningful jurisdictional delineation actions. If, based on the Project final designs, and in consultation with CDFW it is determined that a stream bed alteration agreement or permit is required, the Project Applicant would comply with all CDFW LSA Agreement documentation and informational requisites as outlined above. Please refer also to Response CDFW-12 and EIR Mitigation Measure 4.9.6. Results and conclusions of the EIR are not affected.

Comment CDFW-14

*The Department appreciates the opportunity to comment on the DEIR for the Meredith International Centre Plan Amendment (SCH No. 2014051 020) and requests that the Department's comments be addressed in the Final EIR (FEIR). If you should have any questions pertaining to this letter, please contact Gabriele Quillman at [gabriele.quillman@wildlife.ca.gov](mailto:gabriele.quillman@wildlife.ca.gov) or 909-980-3818.*

Response CDFW-14

The Lead Agency acknowledges CDFW participation in the CEQA EIR review process for the Project, and herein has responded to comments provided by CDFW. CDFW point of contact information is acknowledged. Results and conclusions of the EIR are not affected.



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

SENT VIA E-MAIL AND USPS:

March 13, 2015

[rayala@ci.ontario.ca.us](mailto:rayala@ci.ontario.ca.us)

Mr. Richard Ayala, Senior Planner  
City of Ontario  
303 E. B Street  
Ontario, CA 91764

## **Draft Environmental Impact Report (DEIR) for the Proposed Meredith International Centre General Plan Amendment**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document.

The proposed Project is an amendment to the Meredith International Centre Specific Plan. The Specific Plan Amendment would allow for the development of approximately 3 million square feet of industrial uses, 1.1 million square feet of commercial uses, and up to 800 residential units on approximately 257 acres. The Lead Agency has projected 42,057 total daily vehicle trips by project buildout in 2020. Of the approximate 3 million square feet of industrial use, 2.39 million square feet will be developed as high-cube warehouses. The Lead Agency has projected 5,228 total daily vehicle trips including 1,652 daily truck trips operating at the high-cube warehouse.

In the Air Quality Section, the Lead Agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that construction and operational air quality impacts will exceed the recommended regional daily significance threshold for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>.

The Lead Agency has determined that estimated operation emissions and cancer risks substantially exceed the SCAQMD recommended thresholds of significance during operations (VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>, mostly from vehicle operations) and for Toxic Air Contaminants (potential cancer risk from sensitive receptors being sited near diesel particulate emissions (DPM) from vehicles operating on the freeway). The unmitigated cancer risk totaled 20 in one million from the DPM emissions from the freeway vehicles, which is above the SCAQMD's recommended CEQA significance threshold for Maximum Incremental Cancer Risk (MICR): 10 in one million or greater

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lifetime probability of contracting cancer. Although the project proposes mitigation, SCAQMD staff has concerns about the effectiveness of the mitigation measures.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Jack Cheng, Air Quality Specialist CEQA Section, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

*Jillian Wong*

Jillian Wong, Ph.D.  
Program Supervisor  
Planning, Rule Development & Area Sources

Attachment

JW:JC  
SBC150130-01  
Control Number

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**Health Risk Assessment (HRA) and Localized Significance Threshold (LST) Analysis**

1. The American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) was formed to introduce state-of-the-art modeling concepts into the EPA's air quality models. Through AERMIC, a modeling system, AERMOD, was introduced that incorporated air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with [Appendix W \(http://www.epa.gov/ttn/scram/dispersion\\_prefrec.htm\)](http://www.epa.gov/ttn/scram/dispersion_prefrec.htm). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The Lead Agency used AERMOD (version 14134) to prepare the dispersion modeling for the HRA but used SCREEN3, which is the screening level version of ISC to perform the LST dispersion modeling analysis. AERSCREEN is now the preferred model to be used for screening level analysis, replacing SCREEN3. Therefore, SCAQMD staff recommends that the Lead Agency revise the LST analysis using the latest version of AERMOD (version 14134). SCAQMD's modeling guidance for AERMOD can be found at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance>. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options). If the Lead Agency wishes to use the FASTALL option or any other regulatory non-default options, SCAQMD staff should be consulted prior to the start of modeling.
2. The Lead Agency used meteorological data from the SCAQMD's Pomona station, which is located approximately 8 miles away from the Project site, while the SCAQMD's Upland meteorological station is located approximately 2 miles from the project site. Furthermore, the meteorological data used was for 2005-2009, which is outdated. SCAQMD staff recommends that the Lead Agency revise the air quality modeling performed for the HRA and LST analysis using the most recent available meteorological data from the SCAQMD's Upland station (for years 2008-1012), which were available at the time of analysis. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod>. By using outdated meteorological data, the air quality impacts from the project might have been under-estimated.
3. The HRA analysis involved the use of separate discrete receptors placed randomly. SCAQMD staff recommends that the Lead Agency revise the HRA using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed. Likewise, a similar receptor grid should be used for the worker and school receptors, as appropriate.

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4. In the HRA, when estimating cancer risks from the freeway to the future residents, the Lead Agency appeared to use an exposure duration of 30-years to calculate the cancer risks. Current SCAQMD methodology for cancer risk to residents requires the use of a 70-year exposure duration. The Lead Agency should revise the HRA using the 70-year exposure duration.
5. In the DEIR, the Lead Agency analyzed health risk impacts for residential exposure separately from TAC emissions coming from vehicles operating on the I-10Freeways. Since residents will be exposed to adverse health impacts from both the freeways (diesel-fueled vehicles operating on the freeways) and project warehouse distribution uses (diesel-fueled trucks operating at the sites), the combined risk from both sources should be totaled and disclosed in the Final EIR, in addition to the separate Maximum Incremental Cancer Risk (MICR) estimates for both sources already included in the DEIR. Otherwise, the potential combined risk is underestimated.

### **Air Quality Analysis - Operations**

#### **Use of an Un-Refrigerated Warehouse Land Use CalEEMod Model Input**

6. Based on a review of the project's emissions calculations in Appendix D: Air Quality Technical Appendix <sup>1</sup> (CalEEMod Output Sheets), the Lead Agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. In Section 4.5 Noise, the Lead Agency utilized noise studies from similar logistics warehouse buildings since the future tenants of the proposed Project are unknown. The noise levels were estimated base on reference levels measurements of similar logistics warehouse building that include refrigerated containers. Since the future tenant is unknown, SCAQMD staff recommends that the Lead Agency include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses.

### **Mitigation Measures for Construction Air Quality Impacts**

7. Based on a review of the DEIR the Lead Agency determined that the proposed project will result in significant air quality impacts during construction. Specifically, the air quality analysis demonstrated that the proposed project will exceed the SCAQMD's CEQA regional construction significance thresholds for NOx. Therefore, the SCAQMD staff recommends the following changes and additional measures be incorporated into the proposed project and FEIR to reduce significant project impacts in addition to the measures included in the Draft EIR.

Recommended Change:

~~4.3.3 During grading activity, all rubber tired dozers and scrapers ( $\geq 150$  horsepower) shall be CARB Tier 3 Certified or better. Additionally, during grading activity, total~~

<sup>1</sup> Appendix D: Air Quality Impact Appendix.

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~~horsepower hours per day for all equipment shall not exceed 149,840; and the maximum (actively graded) disturbance area shall not exceed 26 acres per day.~~

Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)<sup>2</sup> have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

#### Recommended Additions

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website:  
<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies> .

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<sup>2</sup> For example see the Metro Green Construction Policy at:

[http://www.metro.net/projects\\_studies/sustainability/images/Green\\_Construction\\_Policy.pdf](http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf)



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### **Mitigation During Operations (MERV Filters and HVAC Systems)**

#### **Limits to Enhanced Filtration Units**

8. The Lead Agency should consider the limitations of the proposed enhanced filtration mitigation (Measure 4.3.6) for this project on the housing residents. For example, in a study that SCAQMD conducted to investigate filters<sup>3</sup> similar to those proposed for this project, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless there is a HVAC system that draws enough air to support the filter system and that the HVAC system is fully operable throughout the life of the project. In addition, there may be increased energy costs to the resident. The proposed mitigation also assumes that the filters operate 100 percent of the time while residents are indoors to reduce significant TAC impacts up to 7.14 in one million compared with the SCAQMD threshold of 10 in one million. It should be noted that these filters have no ability to filter out any toxic gasses from vehicle exhaust and would not reduce exposure when residents are outside of their homes, e.g. children playing outdoors, being around a pool area, residents relaxing or walking outside, working outside on a balcony, cleaning a vehicle, etc. In the Final EIR, the presumed effectiveness and feasibility of this mitigation should therefore be evaluated in more detail prior to assuming that it will sufficiently alleviate near truck exhaust exposures. Otherwise, impacts to residents from exposure to TACs will remain substantially significant and unavoidable.

### **Mitigation Measures for Operational Air Quality Impacts (Mobile Sources)**

9. During project operations, the Lead Agency has determined that project operation emissions are significant for Volatile Organic Compounds (VOC) and Oxides of Nitrogen (NOx), Carbon Monoxide (CO), Particulate Matter (PM10) and PM2.5, primarily from on-road mobile sources including truck activity emissions. The SCAQMD staff therefore recommends the following change and additional measures that should be incorporated into the Final EIR to reduce exposure to sensitive receptors and reduce project air quality impacts:

#### Additional Mitigation Measures:

- Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at

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<sup>3</sup> <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudvfinalreport.pdf?sfvrsn=0>. This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. See also CARB link for the "Status of Research on Potential Mitigation Concepts to Reduce Exposure to Nearby Traffic Pollution" (August 23, 2012): [http://www.arb.ca.gov/db/search/search\\_result.htm?q=Potential+Mitigation+Concepts+to+Reduce+Exposure+to+Nearby+Traffic+Polltion&which=arb\\_google&cx=006180681887686055858%3Abew1c4wl8hc&srch\\_words=&cof=FORID%3A11](http://www.arb.ca.gov/db/search/search_result.htm?q=Potential+Mitigation+Concepts+to+Reduce+Exposure+to+Nearby+Traffic+Polltion&which=arb_google&cx=006180681887686055858%3Abew1c4wl8hc&srch_words=&cof=FORID%3A11).

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commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.<sup>4</sup>
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternative fueled.
- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Because the proposed Project generates significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency and project applicant.

At a minimum, require upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the occupant should also be required to accept and use them.

### **Electric Vehicle (EV) Charging Stations**

10. Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 Regional Transportation Plan. It is important to make this

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<sup>4</sup> CARB: Air Quality and Land Use Handbook: A Community Health Perspective, April 2005, Page 4 for Distribution Centers.

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electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed facility and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.<sup>5</sup> Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

### **CNG Fueling Station and Convenience Site**

11. Since the proposed project generates significant regional NO<sub>x</sub> operational impacts, the SCAQMD staff recommends that the project pro-actively take measures that could reduce emissions sooner rather than later. The SCAQMD staff therefore recommends that the Lead Agency ensure the availability of alternative fueling facility (e.g., natural gas) to serve the project site prior to operation of any large truck operation uses within the project area.

### **Mitigation Measures for Operational Air Quality Impacts (Other)**

12. In addition to the mobile source mitigation measures identified above, the SCAQMD staff recommends the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from VOC, CO, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.
  - Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
  - Use light colored paving and roofing materials.
  - Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
  - Install light colored "cool" roofs and cool pavements.
  - Limit the use of outdoor lighting to only that needed for safety and security purposes.
  - Require use of electric or alternatively fueled sweepers with HEPA filters.
  - Use of water-based or low VOC cleaning products.

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<sup>5</sup> [http://ladbs.org/LADBSWeb/LADBS\\_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf](http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf)

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**Transportation**

- Make a commitment to install electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the project site.
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.

**Other**

- Provide outlets for electric and propane barbecues in residential areas.

South Coast Air Quality Management District  
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Letter Dated March 13, 2015

Comment AQMD-1

*The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document.*

Response AQMD-1

The Lead Agency acknowledges, and herein has provided responses to, comments offered by the South Coast Air Quality Management District (SCAQMD). Where considered appropriate by the Lead Agency, SCAQMD guidance and recommendations have been incorporated in this Final EIR. Results and conclusions of the EIR are not affected.

Comment AQMD-2

*The proposed Project is an amendment to the Meredith International Centre Specific Plan. The Specific Plan Amendment would allow for the development of approximately 3 million square feet of industrial uses, 1.1 million square feet of commercial uses, and up to 800 residential units on approximately 257 acres. The Lead Agency has projected 42,057 total daily vehicle trips by project buildout in 2020. Of the approximate 3 million square feet of industrial use, 2.39 million square feet will be developed as high-cube warehouses. The Lead Agency has projected 5,228 total daily vehicle trips including 1,652 daily truck trips operating at the high-cube warehouse.*

Response AQMD-2

The Project description as summarized by the commentor is materially correct (please refer also to DEIR Section 3.0, *Project Description*). Total Project average daily trip (ADT) generation as summarized by the commentor is materially correct (ADT estimates are expressed in terms of passenger car equivalence [PCE]). Please refer also to the discussion of Project ADT generation presented at EIR Section 4.2, *Traffic and Circulation*. The Project

Traffic Impact Analysis (DEIR Appendix C, Table 5-3) indicates that the estimated trip generation (PCE) for the high-cube warehouse component of the Project would be approximately 5,228 ADT (PCE). As also presented in the Project TIA, of this total, approximately 474 daily trips would be attributable to 4 + axle trucks (3.0 PCE/4 + axle truck); 191 trips would be from 3-axle trucks (2.0 PCE/3-axle truck); and 143 daily trips would be from two-axle trucks (1.5 PCE/two-axle truck); or 808 total daily truck trips with a PCE of 2,029 ADT. The balance of trips (3,199 PCE) generated by the warehouse distribution uses would be by passenger cars. Emissions estimates presented in the Project Air Quality Impact Analysis (AQIA), reflecting the Project trip generation characteristics summarized above and presented in the Project TIA, are considered accurate in describing and quantifying the Project's potential air quality impacts.

The commentor's estimate of 1,652 daily truck trips generated by the Project warehouse distribution uses assumes application of methodologies and protocols articulated in the SCAQMD *Draft Warehouse Truck Trip Study* (SCAQMD) December 2014 (*Draft Warehouse Truck Trip Study*). Supplementing the EIR analyses, and as a point of reference, Project mobile-source emissions air quality impacts have also been evaluated employing the *Draft Warehouse Truck Trip Study* assumptions. Please refer to *Meredith International Centre Supplemental Assessment* (Urban Crossroads, Inc.) January 22, 2015 (supplemental air quality impact analyses), DEIR Appendix D. It is noted however, that as of the date of the EIR (January 2015), the *Draft Warehouse Truck Trip Study* has not been formally adopted for use in CEQA analyses, and analysis in the context of the *Draft Warehouse Truck Trip Study* is provided as a point of reference only. Results and conclusions of the EIR are not affected.

### Comment AQMD-3

*In the Air Quality Section, the Lead Agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that construction and operational air quality impacts will exceed the recommended regional daily significance threshold for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>.*

### Response AQMD-3

The commentor's summarization of the Project's significant air quality impacts is not entirely accurate. To clarify:

- Project maximum daily construction-source emissions of VOC, NO<sub>x</sub>, and CO would exceed applicable SCAQMD regional thresholds. These are significant individual and cumulative air quality impacts.
- Under Interim Development Conditions in 2017, Project maximum daily operational-source emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> would exceed applicable SCAQMD regional thresholds.<sup>1</sup> These are significant individual and cumulative air quality impacts.
- Under Project Buildout Conditions in 2020, Project maximum daily operational-source emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> would exceed applicable SCAQMD regional thresholds. These are significant individual and cumulative air quality impacts.  
(DEIR pp. 1-23, 1-24, et al.)

Results and conclusions of the EIR are not affected.

### Comment AQMD-4

*The Lead Agency has determined that estimated operation emissions and cancer risks substantially exceed the SCAQMD recommended thresholds of significance during operations (VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>, mostly from vehicle operations) and for Toxic Air Contaminants (potential cancer risk from sensitive receptors being sited near diesel particulate emissions (DPM) from vehicles operating on the freeway). The unmitigated cancer risk totaled 20 in one million from the DPM*

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<sup>1</sup> Under 2017 Interim Development Conditions, the Project Air Quality Impact Analysis indicates the operational-source PM<sub>2.5</sub> emissions would not exceed SCAQMD regional thresholds. If employing the SCAQMD *Draft Warehouse Truck Trip Study* protocols and assumptions, there would be a PM<sub>2.5</sub> emissions regional threshold exceedance under 2017 Interim Development Conditions. Conservatively, and as a matter of public disclosure, operational-source PM<sub>2.5</sub> emissions are recognized as significant and unavoidable under 2017 Interim Development Conditions.

*emissions from the freeway vehicles, which is above the SCAQMD’s recommended CEQA significance threshold for Maximum Incremental Cancer Risk (MICR): 10 in one million or greater lifetime probability of contracting cancer. Although the project proposes mitigation, SCAQMD staff has concerns about the effectiveness of the mitigation measures.*

Response AQMD-4

**Project Operational-Source Emissions Impacts**

Significant VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> regional air quality impacts resulting from Project operations are acknowledged and disclosed in the EIR as required under CEQA. It is worth noting that Project operational-source emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub>, while considered significant, would represent an incremental decrease in operational-source emissions otherwise resulting from development of the subject under the Ontario Policy Plan as evaluated in the Ontario Policy Plan EIR (SCH 2008101140) . . . “[l]argely because of decreased trip generation characteristics, the Project would likely result in an incremental decrease in operational-source air pollutant emissions when compared to emissions that would be generated pursuant to development of the site as envisioned under the [Ontario] Policy Plan and The Ontario Plan EIR” (DEIR p. 4.3-30).

Similarly, Project operational-source emissions would represent an incremental decrease in emissions when compared to operational-source emissions that would be generated by development of the site’s existing 1981 Meredith Specific Plan entitlements. Please refer to the comparative Project and No Project [1981 Meredith Specific Plan] operational-source emissions presented at EIR Table 5.2-5, *Operational-Source Emissions Comparison Project and No Project Alternative*, excerpted below:

**Table 5.2-5  
Operational-Source Emissions Comparison  
Project and No Project Alternative  
(pounds per day, maximum summer/winter emissions)**

Operational Activities	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Project</b>						
Landscaping, Maintenance, et al.	151.76	0.77	67.05	---	1.44	1.43
Building Energy Consumption	1.54	13.79	10.51	0.09	1.06	1.06



**Table 5.2-5**  
**Operational-Source Emissions Comparison**  
**Project and No Project Alternative**  
 (pounds per day, maximum summer/winter emissions)

<b>Operational Activities</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
On-site Equipment	1.85	22.60	9.87	0.04	0.75	0.68
Mobile Source Emissions	145.16	696.74	1414.74	4.85	282.90	84.35
<b>Maximum Daily Emissions</b>	<b>300.31</b>	<b>733.89</b>	<b>1502.16</b>	<b>4.98</b>	<b>286.15</b>	<b>87.51</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	No	<b>YES</b>	<b>YES</b>
<b>No Project Alternative</b>						
Landscaping, Maintenance, et al.	151.76	0.77	67.05	---	1.44	1.43
Building Energy Consumption	1.54	13.79	10.51	0.09	1.06	1.06
On-site Equipment	---	---	---	---	---	---
Mobile Source Emissions	200.32	961.50	1952.34	6.69	390.4	116.40
<b>Maximum Daily Emissions</b>	<b>353.62</b>	<b>976.06</b>	<b>2029.9</b>	<b>6.78</b>	<b>392.9</b>	<b>118.89</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	No	<b>YES</b>	<b>YES</b>

### Freeway-Source Carcinogenic Risks

The freeway-source carcinogenic risk cited by the commentor is not an impact of the Project on the environment (rather it is an impact of the environment on the Project)<sup>2</sup>; and the freeway-source HRA analysis presented in the DEIR is provided for informational and disclosure purposes. The 10 in one million incidental cancer risk threshold cited by the commentor is relevant to new, development-specific TAC emissions and is provided in the DEIR as context for the disaggregated portion of the ambient TAC-source carcinogenic risk attributable to I-10 freeway sources. In point of fact, and irrespective of the Project, the

<sup>2</sup> CEQA does not extend to situations in which the project, not the environment, is at risk. (*Ballona Wetlands Land Trust v City of Los Angeles* (2011) 201 Cal.App.4th 455 (EIR not required to evaluate potential impacts of sea level rise on project); *South Orange County Wastewater Auth. v City of Dana Point* (2011) 196 Cal.App.4th 1604, 1617 (EIR not required for general plan and zoning changes to allow mixed-use development adjacent to wastewater treatment plant, because CEQA does not protect projects from existing adverse environmental conditions.)

ambient TAC-source cancer risk affecting the Project site and vicinity properties far exceeds the 10 in one million incidental cancer risk threshold cited by the commentor. In this latter regard, SCAQMD through the *Multiple Air Toxics Exposure Study III* (MATES III) indicates that the ambient TAC-source carcinogenic risk affecting the Project site and vicinity properties (inclusive of freeway-source TAC carcinogenic risks) is approximately 1,426 incidents per million population. The Project does not create or result in this ambient TAC-source carcinogenic risk, nor does the Project create or result in the freeway-source TAC component of the ambient risk. Remedies provided in the EIR respond to pre-existing conditions already affecting the Project site and surrounding properties; and that would continue to affect the subject site irrespective of the Project.

It is further noted that residential uses throughout the Basin and Southern California are routinely sited proximate to (if not adjacent to) freeways, and are exposed to freeway-source emissions. The Project differs in this regard by providing distance buffering of more than 1,000 feet from the 1-10 freeway and freeway-source emissions, consistent with California Air Resources Board (CARB) source-receptor buffering guidelines. Please refer also to Response AQMD-10. Results and conclusions of the EIR are not affected.

#### Comment AQMD-5

*Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Jack Cheng, Air Quality Specialist CEQA Section, at (909) 396-2448, if you have any questions regarding the enclosed comments.*

#### Response AQMD-5

Pursuant to Public Resources Code Section 21092.5, written responses to SCAQMD comments are provided herein. SCAQMD point of contact information is acknowledged. Results and conclusions of the EIR are not affected.

### Comment AQMD-6

*The American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) was formed to introduce state-of-the-art modeling concepts into the EPA's air quality models. Through AERMIC, a modeling system, AERMOD, was introduced that incorporated air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. As of December 9, 2006, AERMOD is fully promulgated as a replacement to ISC3, in accordance with Appendix W ([http://www.epa.gov/ttn/scram/dispersion\\_prefrec.htm](http://www.epa.gov/ttn/scram/dispersion_prefrec.htm)). AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The Lead Agency used AERMOD (version 14134) to prepare the dispersion modeling for the HRA but used SCREEN3, which is the screening level version of ISC to perform the LST dispersion modeling analysis. AERSCREEN is now the preferred model to be used for screening level analysis, replacing SCREEN3. Therefore, SCAQMD staff recommends that the Lead Agency revise the LST analysis using the latest version of AERMOD (version 14134). SCAQMD's modeling guidance for AERMOD can be found at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/modeling-guidance>. Please note that when using AERMOD, the regulatory default option should be used (i.e. without the use of the "FASTALL" or "FLAT" options). If the Lead Agency wishes to use the FASTALL option or any other regulatory non-default options, SCAQMD staff should be consulted prior to the start of modeling.*

### Response AQMD-6

*As noted in Meredith International Centre Specific Plan Amendment Air Quality Impact Analysis, City Of Ontario (Urban Crossroads, Inc.) January 21, 2015 (Project Air Quality Impact Analysis, AQIA):*

*"SCREEN3, is a U.S. EPA approved air quality model that contains algorithms associated with the USEPA's Screening Procedures for Estimating the Air Quality Impact of Stationary Sources. SCREEN3 was used to calculate localized pollutant concentrations for construction and operational activity. SCREEN3 uses dispersion screening techniques to estimate impacts of point,*

area, and volume stationary sources. It should be noted that the SCREEN3 model was utilized in lieu of the more robust AERMOD and Industrial Source Complex (ISC) model in order to account for worst-case conditions, and since precise construction phasing information is not available at this time” (AQIA p. 54).

Furthermore, the comment states that the Lead Agency used two different methods of modeling to analyze localized air quality impacts and health risk impacts from the Project and should use the same model for both. It should be noted that the localized threshold (LSTs) analysis and the HRA do not assess the same pollutants or impacts.

The localized air quality impact assessment analyzes the relevant short-term (i.e., 1-hour, 8-hour, and 24-hour) impacts associated with carbon monoxide (CO), NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The HRA analyzes the long-term (i.e., average yearly concentration over a given exposure duration) impacts associated with DPM. Unlike the LST analysis, the HRA does not consider fugitive dust emissions because there are no cancer potency factors or reference exposure levels established by the Office of Environmental Health Hazard Assessment (OEHHA) for fugitive dust. Because both analyses evaluate different impacts, and further since the specific locations of construction disturbance and activity could occur at any disturbed area on-site, it is most appropriate to use SCREEN3 for construction LST purposes since SCREEN3 is a screening model that would overstate impacts as compared to AERMOD. Use of SCREEN3 as a screening tool to represent “worst-case” conditions is supported by the USEPA’s *Screening Procedures for Estimating the Air Quality Impact of Stationary Sources*.

With regard to use of SCREEN3 vs. use of AERSCREEN for screening level analyses, SCREEN3 is based on the ISC3 platform which is the basis for the SCAQMD’s own development and application of LSTs.<sup>3</sup> It is recognized that AERSCREEN may be the

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<sup>3</sup> As noted in Chapter 2 Methodology of the SCAQMD’s Final Localized Significance Threshold Methodology (June 2003, Revised July 2008), the ISC3 model was used to determine pollutant concentrations in the development of LSTs.

preferred model for use by EPA, however the EPA is not the Lead Agency, or a Responsible Agency for this Project, and furthermore use of SCREEN3 for the Project is actually consistent with the ISC3 methods and protocols utilized by SCAQMD. Use of SCREEN3 and ISC3 procedures is appropriate as evidenced by the fact that the SCAQMD itself has not revised its own relevant adopted modeling guidance and associated thresholds which are based on the applicable ISC3 algorithms used in SCREEN3.

As directed by SCAQMD, non-regulatory model options for FASTALL and FLAT have been disabled for the revised HRA based on the requested metrological data (please refer to following Response AQMD-7).

Results and conclusions of the EIR are not affected.

#### Comment AQMD-7

*The Lead Agency used meteorological data from the SCAQMD's Pomona station, which is located approximately 8 miles away from the Project site, while the SCAQMD's Upland meteorological station is located approximately 2 miles from the project site. Furthermore, the meteorological data used was for 2005-2009, which is outdated. SCAQMD staff recommends that the Lead Agency revise the air quality modeling performed for the HRA and LST analysis using the most recent available meteorological data from the SCAQMD's Upland station (for years 2008-1012), which were available at the time of analysis. AERMOD-ready meteorological data for various meteorological stations within the South Coast Air Basin (SCAB) are available for download free of charge at <http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod>. By using outdated meteorological data, the air quality impacts from the project might have been under-estimated.*

#### Response AQMD-7

At the time of preparation of the HRA, the latest available meteorological data that was available on the SCAQMD's website was the 2005-2009 meteorological data. At that time, it was determined that although the Pomona metrological monitoring station was located further from the Project site than the Upland monitoring station, that monitored conditions

at the Pomona station more appropriately and accurately represented ambient air quality conditions in the Project vicinity. Notwithstanding, in response to SCAQMD's comments, the HRA modeling was re-run with meteorological data from the Upland Monitoring station (for years 2008-2012). The revised modeling yielded no substantively different results from those previously identified in the EIR, and no new or substantively different impacts would occur. As directed by SCAQMD, non-regulatory model options for FASTALL and FLAT have been disabled for the revised HRA. Results and conclusions of the EIR are not affected. The revised analysis has been included as FEIR Appendix A.

Comment AQMD-8

*The HRA analysis involved the use of separate discrete receptors placed randomly. SCAQMD staff recommends that the Lead Agency revise the HRA using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development, in order to ensure that the maximum impacts to a residential receptor are properly analyzed. Likewise, a similar receptor grid should be used for the worker and school receptors, as appropriate.*

Response AQMD-8

SCAQMD mischaracterizes receptor placement employed in the Project HRA. The Project HRA includes individual discrete receptors placed geospatially at existing residences, businesses, and schools. These locations represent the maximum impact any individual resident, business, or school would be exposed to. Since the maximum residential, worker, and school exposures have already been identified and evaluated, the Lead Agency considers it unnecessary to include a 100-meter x 100-meter grid of receptors since this would not yield any new meaningful information, or different results. Results and conclusions of the EIR are not affected.

Comment AQMD-9

*In the HRA, when estimating cancer risks from the freeway to the future residents, the Lead Agency appeared to use an exposure duration of 30-years to calculate the cancer risks. Current SCAQMD methodology for cancer risk to residents requires the use of a 70-year exposure duration. The Lead Agency should revise the HRA using the 70-year exposure duration.*

### Response AQMD-9

The Project HRA (HRA) employed relevant and appropriate procedures and protocols to quantify risk. Under available risk assessment guidance from USEPA<sup>4</sup>, variable exposure adjustments can be utilized to quantify risk. As substantiated below, the HRA employed appropriate freeway-source TAC exposure durations for the Project's proposed residential uses.

In the HRA, exposure duration is discussed relative to residential occupancy. As noted, the HRA employs USEPA guidance to develop viable, realistic and accurate dose estimates based on reasonable maximum exposures, which are defined as the "highest exposure that is reasonably expected to occur." USEPA's long-standing guidance for the quantification of dose estimates is based on what is defined as "reasonable." According to the USEPA:

Reasonableness refers to the findings of the risk assessment in the context of the state-of-the science, the default assumptions and the science policy choices made in the risk assessment. It demonstrates that the risk assessment process followed an acceptable, overt logic path and retained common sense in applying relevant guidance. The assessment is based on sound judgment. Reasonableness is achieved when: a) the risk characterization is determined to be sound by the scientific community, EPA risk managers, and the lay public, because the components of the risk characterization are well integrated into an overall conclusion of risk which is complete, informative, well balanced, and useful for decision making b) the characterization is based on the best available scientific information c) the policy judgments required to carry out the risk analyses use common sense given the statutory requirements and Agency guidance d) the assessment uses generally accepted scientific knowledge e) appropriate plausible alternative estimates of risk under various candidate risk management alternatives are identified and explained.

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<sup>4</sup> <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=12464#Download>

The USEPA (Risk Assessment Guidance for Superfund-Volume 1: Human Health Evaluation Manual<sup>5</sup>) introduced the concept of reasonable maximum exposures (RMEs). This approach is intended to estimate a conservative exposure case (i.e., well above the average case) that is representative of the range of possible exposures. Activity patterns for population mobility are specifically addressed in the Exposure Factors Handbook (U.S. EPA, 1997<sup>6</sup>), whereby lifetime risk values for residents account for an exposure duration of 30 years (95th percentile).

Additionally, as identified by OEHHA<sup>7</sup>, the Integrated Public Use Microdata Series (IPUMS-USA) census data<sup>8</sup> was reviewed to determine an appropriate assumption for length of residency to determine the exposure duration used in the analysis. The IPUMS-USA database consists of more than 50 samples of the American population drawn from 15 federal censuses and from the American Community Surveys (ACS). ACS is a nationwide survey that collects and produces population and housing information every year from 3 million selected housing unit addresses across every county in the nation. IPUMS-USA samples, which draw on every surviving census from 1850 to 2000 and the 2000 to 2009 ACS samples, collectively constitute the quantitative information on long-term changes in the American population. Based on this review, the most recent IPUMS-USA ACS data (2006 to 2009) shows indicates that the percentage of California households with a residency period of 30 years or greater is less than 9 percent, meaning that over 91 percent of California residents have lived in their current location for less than 30 years. This data also showed that over 63 percent of Californians have lived at their current residence for 9 years or less.

Furthermore, in a study prepared by the Real Estate Research Institute (Duration of Residence in the Rental Housing Market, January 2002<sup>9</sup>) the duration of residency in rental housing was evaluated. The study utilized data from the Bureau of Labor Statistics' (BLS)

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5 [http://www.epa.gov/oswer/riskassessment/ragsa/pdf/rags\\_a.pdf](http://www.epa.gov/oswer/riskassessment/ragsa/pdf/rags_a.pdf)

6 <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=12464#Download>

7 [http://oehha.ca.gov/air/hot\\_spots/SRP/Appendix%20L.pdf](http://oehha.ca.gov/air/hot_spots/SRP/Appendix%20L.pdf)

8 Steven Ruggles, J. Trent Alexander, Katie Genadek, Ronald Goeken, Matthew B. Schroeder, and Matthew Sobek. Integrated Public Use Microdata Series: Version 5.0 [Machine-readable database]. Minneapolis: University of Minnesota, 2010.

9 [http://lusk.usc.edu/sites/default/files/working\\_papers/wp\\_2002-5.pdf](http://lusk.usc.edu/sites/default/files/working_papers/wp_2002-5.pdf)



Consumer Price Index (CPI) to construct the duration of rental occupancy for metropolitan areas from 1987 to 1998. The American Housing Survey and related metropolitan economic data were additionally employed to proxy time-varying covariates of duration of residence. Results of the study showed that the duration of residency across individual units and market segments for 3, 5, and 10 years were 62.6, 78.6, and 96.7 percent, respectively. Clearly, for rental units such as those proposed by the Project, 30 years is a reasonable estimate of the 90th or 95th percentile of residency duration in a population because the BLS CPI data shows that 96.7 percent of all renters stay in the same rental unit for 10 years or less.

The preceding information supports the use of a 30-year exposure period in the HRA instead of the 70-year exposure period recommended by the SCAQMD. Furthermore, SCAQMD has provided no evidence or cited any data sources to support their assertion that residents of the Project would remain *in situ* for 70 years. As such, the HRA's analysis based on a 30-year exposure scenario is not only reasonable, but conservative, and would tend to overstate rather than understate potential TAC exposure risks. Results and conclusions of the EIR are not affected.

#### Comment AQMD-10

*In the DEIR, the Lead Agency analyzed health risk impacts for residential exposure separately from TAC emissions coming from vehicles operating on the I-10 Freeways. Since residents will be exposed to adverse health impacts from both the freeways (diesel-fueled vehicles operating on the freeways) and project warehouse distribution uses (diesel-fueled trucks operating at the sites), the combined risk from both sources should be totaled and disclosed in the Final EIR, in addition to the separate Maximum Incremental Cancer Risk (MICR) estimates for both sources already included in the DEIR. Otherwise, the potential combined risk is underestimated.*

#### Response AQMD-10

To clarify, the I-10 Freeway-source TAC cancer risk cited by the commentor is already accounted for in the SCAQMD *Multiple Air Toxics Exposure Study III* (MATES III) estimated background carcinogenic risk of approximately 1,426 incidents per million population, already affecting the Project site and vicinity properties. For informational purposes, the

Project Freeway-source HRA analysis merely disaggregates and estimates the freeway-source portion of the MATES III background risk; it is not additive to the MATES III risk. Relevant EIR text is excerpted below:

**Offsite Freeway-Source Pollutants**

In 2005, the California Air Resources Board (ARB) promulgated an advisory recommendation to avoid setting sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day. The ARB indicates that due to traffic-generated pollutants, there is an estimated increased cancer risk incidence of 300 to 1,700 per million within this domain. At some point however, the increased cancer risk incidence due to the effects of freeway/roadway corridor pollutants become indistinguishable from the ambient air quality condition. In this regard, the effects of freeway/roadway-source pollutants that may impact the Project site are already acknowledged and accounted for within the ambient air quality discussions presented within this Section. More specifically, the MATES III Study data for the Project site comprehensively reflects increased TAC-source cancer risks affecting the City and Project site, inclusive of increased cancer risks due to freeway/roadway pollutant sources. It is, however, recognized that the effects of freeway traffic pollutants on the Project site would likely be more acute and discernible in those areas nearer freeway/roadway corridors.

Planning Area 4 within the proposed Meredith Specific Plan Amendment Project (Meredith SPA, SPA, Project) proposes Urban Residential land uses that would be located approximately 1,000 feet northerly of the Interstate 10 (I-10) freeway. Separating and buffering these Urban Residential land uses from adverse air pollutant, noise, and light and glare effects of I-10 freeway traffic, the Meredith SPA appropriately proposes intervening commercial land uses which are less susceptible to the effects of freeway traffic. Substantial landscaping/screening elements separating the Project Urban Residential land uses from the I-10 Freeway are also proposed as elements of

the Meredith SPA. Please refer also to land use planning, design/development, and landscape/screening discussions presented in the *Meredith International Centre Specific Plan Amendment* (DEIR Appendix B).

The 2005 ARB guidance noted previously, information made available through the MATES III Study, and configuration and design of the Project would suggest that further assessment of freeway-source pollutant impacts is not warranted. Notwithstanding, this Off-Site Freeway-Source Air Toxic and Criteria Pollutant Health Risk Assessment has been prepared for the Project and is intended to:

- Comply with and support CEQA Section 15003 (i) policies addressing adequacy, completeness, and a good-faith effort at full disclosure;
- Disaggregate potential freeway-source air pollutant health effects from other background conditions; and
- Identify means to reduce the specific effects of freeway-source pollutants at the Project site.

The Project Off-Site Freeway-Source Air Toxic and Criteria Pollutant Health Risk Assessment (included at DEIR Appendix D) fully evaluates potential off-site freeway mobile source air toxic and criteria pollutant health risk impacts that may affect the residential component (Planning Area 4) of the proposed Meredith Specific Plan Amendment. Findings and conclusions of the Assessment are summarized below.

### **Potentially Significant Impacts**

For carcinogenic exposures, the incremental increased risk at the maximum exposed residential receptor (MEIR) totaled 20 in one million, which would

exceed the threshold of SCAQMD threshold condition of 10 in one million.<sup>10</sup> This would be considered a potentially significant impact attributable to freeway-source pollutants. Mitigation Measure 4.3.6, presented below, would reduce the freeway source carcinogenic health risks at the Project site to levels that are less-than-significant.

**Level of Significance:** Potentially Significant.

(DEIR, pp. 4.3-70 through 4.3-72)

The DEIR accurately and appropriately estimates the cumulative carcinogenic risk which includes the MATES III background risk (1,426 incidents per million population, inclusive of freeway-source TAC risks); plus carcinogenic risks from known or probable related TAC sources not accounted for in the MATES III background risk (5.00 incidents per million population); plus Projects-source TAC carcinogenic risks (maximum of 9.44 incidents per million population). The resulting cumulative TAC-source carcinogenic risk is estimated at approximately 1,440.44 per million population. Please refer also to the discussion of cumulative TAC impacts presented at DEIR pp. 4.3-65 through 4.3-69, and DEIR pp. 5-19 through 5-23. Results and conclusions of the EIR are not affected.

#### Comment AQMD-11

*Based on a review of the projects emissions calculations in Appendix D: Air Quality Technical Appendix 1 (CalEEMod Output Sheets), the Lead Agency determined the proposed Project's air quality impacts using emission factors for unrefrigerated warehouses/truck activity. In Section 4.5 Noise, the Lead Agency utilized noise studies from similar logistics warehouse buildings since the future tenants of the proposed Project are unknown. The noise levels were estimated base on reference levels measurements of similar logistics warehouse building that include refrigerated containers. Since the future tenant is unknown, SCAQMD staff recommends that the Lead Agency*

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<sup>10</sup> This level of exposure is however consistent with, and is already recognized within the SCAQMD Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES III Study) data for the Project area. In this regard, the MATES III Study indicates that irrespective of the Project, exposure to ambient toxic air contaminants (TACs) in total (inclusive of TACs generated by I-10 freeway traffic) would result in increased local carcinogenic exposures ranging from 1,096 in one million to 1,426 in one million. The MATES III Study estimates the average ambient cumulative TAC-source cancer risk for the Basin as whole at 1,200 incidents per million population.

*include a mitigation measure that precludes the use of refrigerated warehousing at the Project site or revise the air quality analysis to account for emissions from refrigerated warehouse uses.*

#### Response AQMD-11

The Project at present does not specifically propose, nor exclude, refrigerated warehouse uses. Reference to noise levels from refrigerated warehouse uses presented at EIR Section 4.5 conservatively establish a maximum potential operational-source noise impact scenario.

In reviewing subsequent specific development plans for the Project (including but not limited to any refrigerated warehouse uses that may be proposed), the Lead Agency would determine whether such proposals were consistent with, or considered in the context of development and environmental impacts evaluated in the EIR. At the discretion of the Lead Agency, subsequent environmental analysis may be required for proposals determined to be substantively different from the Project evaluated in the EIR. Please refer also to related discussion presented in the EIR, and excerpted below:

In employing this EIR, the City and other agencies need recognize that Project plans and development concepts identified herein are just that, plans and concepts which are subject to refinement [as] the Project is further defined. Recognizing the potential for these future minor alterations to the Project, this EIR in all instances evaluates likely maximum impact scenarios that would account for these minor alterations. These refinements and/or minor revisions to development proposals do not typically warrant modified or revised environmental documentation. Notwithstanding, at the discretion and direction of the City, substantive modifications to the Project described herein may warrant additional environmental evaluation (DEIR p. 2-7).

Should refrigerated warehouse uses be proposed; and should the Lead Agency determine that such uses would result in substantively different impacts than those considered and evaluated in the EIR, additional environmental analyses would be conducted. Impacts determined to be potentially significant would require mitigation.

To ensure that AQMD's specific concerns regarding potential development of refrigerated warehouse uses within the Project are addressed, it is recommended that the following Condition of Approval be imposed by the Lead Agency:

- Development of refrigerated warehouse uses within the Project site would be subject to additional CEQA air quality impact analyses in order to determine consistency with the air quality impacts analyses presented in the *Meredith International Centre SPA EIR* (SCH No. 2014051020).

Results and conclusions of the EIR are not affected.

#### Comment AQMD-12

*Based on a review of the DEIR the Lead Agency determined that the proposed project will result in significant air quality impacts during construction. Specifically, the air quality analysis demonstrated that the proposed project will exceed the SCAQMD's CEQA regional construction significance thresholds for NOx. Therefore, the SCAQMD staff recommends the following changes and additional measures be incorporated into the proposed project and FEIR to reduce significant project impacts in addition to the measures included in the Draft EIR.*

*Recommended Change:*

~~*4.3.3 During grading activity, all rubber tired dozers and scrapers ( $\geq$  150 horsepower) shall be CARB Tier 3 Certified or better. Additionally, during grading activity, total horsepower hours per day for all equipment shall not exceed 149,840; and the maximum (actively graded) disturbance area shall not exceed 26 acres per day.*~~

*Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles) have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:*

- *Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor*

*shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.*

*Recommended Additions:*

- *Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.*

- *A copy of each units certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.*

- *Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website:*

*<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>*

*For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:*

*<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>*

Response AQMD-12

Pursuant to SCAQMD recommendations, EIR Mitigation Measure 4.3.3 is amended as follows:

**~~4.3.3 During grading activity, all rubber tired dozers and scrapers ( $\geq$  150 horsepower) shall be CARB Tier 3 Certified or better. Additionally, during grading activity, total horsepower hours per day for all equipment shall not exceed 149,840; and the maximum (actively graded) disturbance area shall not exceed 26 acres per day. Construction~~**

contractors for development proposals within the Project site shall ensure implementation of, and compliance with, the following provisions and performance standards:

- Equipment meeting CARB Tier 4 standards is recommended for use if such equipment is available. All construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.<sup>11</sup>
- Diesel trucks employed for site construction activities shall meet Environmental Protection Agency (EPA) 2007 model year NO<sub>x</sub> emissions requirements.
- A copy of each piece of construction equipment's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Construction contractors are encouraged to apply for SCAQMD Surplus Off-Road Opt-In for NO<sub>x</sub> (SOON) funds. Please contact SCAQMD or refer to information provided at: <<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>>

Notwithstanding incorporation of the recommended measures and revisions noted above, Project construction-source NO<sub>x</sub> emissions would not be demonstrably or quantifiably reduced to levels that are less-than-significant, and Project construction-source NO<sub>x</sub> emissions would remain individually and cumulatively significant. Results and conclusions of the EIR are not affected.



### Comment AQMD-13

*The Lead Agency should consider the limitations of the proposed enhanced filtration mitigation (Measure 4.3.6) for this project on the housing residents. For example, in a study that SCAQMD conducted to investigate filters similar to those proposed for this project, costs were expected to range from \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless there is a HVAC system that draws enough air to support the filter system and that the HVAC system is fully operable throughout the life of the project. In addition, there may be increased energy costs to the resident. The proposed mitigation also assumes that the filters operate 100 percent of the time while residents are indoors to reduce significant TAC impacts up to 7.14 in one million compared with the SCAQMD threshold of 10 in one million. It should be noted that these filters have no ability to filter out any toxic gasses from vehicle exhaust and would not reduce exposure when residents are outside of their homes, e.g. children playing outdoors, being around a pool area, residents relaxing or walking outside, working outside on a balcony, cleaning a vehicle, etc. In the Final EIR, the presumed effectiveness and feasibility of this mitigation should therefore be evaluated in more detail prior to assuming that it will sufficiently alleviate near truck exhaust exposures. Otherwise, impacts to residents from exposure to TACs will remain substantially significant and unavoidable.*

### Response AQMD-13

The SCAQMD comment letter incorrectly states that the Project is recommending Minimum Efficiency Reporting Value 12 (MERV 12)-rated air filter systems (please refer footnote 3 on Page 6 of the SCAQMD comment letter). Rather, the HRA recommended the use of MERV 16 or equivalent particulate filters to limit indoor pollutant concentrations. The performance standards and control efficiencies of the recommended of MERV 16 particulate filters were based on the reported MERV efficiencies as identified at American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2. Based on the reported effectiveness of these filters, carcinogenic risks from freeway-source TAC's at the Project site's residential uses would be reduced to 7.14 in one million, which is less than the cited SCAQMD threshold condition of 10 in one million.

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<sup>11</sup> Equipment meeting Tier 4 standards is not generally or widely available at present.

A consideration of time spent in or outdoors need not be considered in the HRA. Regulatory guidance from SCAQMD, OEHHA, and USEPA assumes that source-receptor locations are static, whereby exposures are assumed to be continuous based on the averaging time under consideration, without regard to “indoor” or “outdoor” receptor location(s). The HRA appropriately assumes a “static” exposure scenario of constant exposure 24 hours per day, 7 days per week for a long-term duration (30 years).

Please refer also to SCAQMD’s *Pilot Study of High Performance Air Filtration for Classrooms Applications*<sup>12</sup> (Pilot Study) which addresses the commentor’s concerns regarding filter efficiency associated with a scenario of open doors and windows. The SCAQMD Pilot Study clearly concludes that adequate particulate removal is achieved with “doors and windows that are frequently open to outside air” for a MERV 16 filtration system, which is consistent to that proposed by the Project. Also, as the SCAQMD notes in the Pilot Study, filter efficiencies are achieved regardless of outside air infiltration.

The maintenance and continued operation of the filter would be the responsibility of the building owner and will be monitored pursuant to EIR Mitigation Measure 4.3.6.

Please refer also to Response AQMD-11 which addresses freeway-source TAC risks in the context of ambient conditions.

Results and conclusions of the EIR are not affected.

#### Comment AQMD-14

*During project operations, the Lead Agency has determined that project operation emissions are significant for Volatile Organic Compounds (VOC) and Oxides of Nitrogen (NO<sub>x</sub>), Carbon Monoxide (CO), Particulate Matter (PM<sub>10</sub>) and PM<sub>2.5</sub>, primarily from on-road mobile sources including truck activity emissions. The SCAQMD staff therefore recommends the following change*

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<sup>12</sup> AQMD, *Pilot Study of High Performance Air Filtration for Classrooms Applications*-Draft report: October 2009. Web. 03-23-2015.< <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf?sfvrsn=0>>

*and additional measures that should be incorporated into the Final EIR to reduce exposure to sensitive receptors and reduce project air quality impacts:*

*Additional Mitigation Measures:*

- *Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.*
- *Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.*
- *Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.*
- *Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.*
- *On-site equipment should be alternative fueled.*
- *Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.*
- *Improve traffic flow by signal synchronization.*
- *Because the proposed Project generates significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency and project applicant. At a minimum, require upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the occupant should also be required to accept and use them.*

Response AQMD-14\*

Those measures recommended by SCAQMD and accepted by the Lead Agency are listed below, and are incorporated as new EIR Mitigation Measure 4.3.5.1 (below). Notwithstanding, incorporation of the recommended measures would not demonstrably or quantifiably reduce the Project's operational source air quality impacts to levels that are less-than-significant. Project operational-source VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions regional threshold exceedances would remain individually and cumulatively significant impacts. Results and conclusions of the EIR are not affected.

**4.3.5.1 The following measures shall be implemented in order to reduce Project operational-source VOC, NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> emissions:**

- **The Lead Agency shall consider incentives and phase-in schedules for alternatively fueled trucks.**
- **The final Project site plan(s) shall be designed such that any truck check-in points are located sufficiently interior to the Project site to preclude queuing of trucks onto public streets and minimize truck idling times.<sup>13</sup>**
- **Truck routes shall be clearly marked acting to minimize the potential for truck traffic through residential areas.**
- **Truck operators with year 2006 or older trucks shall apply in good faith for Carl Moyer, VIP, Prop 1B or similar funding to replace/retrofit their trucks with cleaner-than-required engines, equipment, and emission reduction technologies. Should funds be awarded, the recipient shall accept and use them for their intended purpose(s).**

---

<sup>13</sup> Note also that pursuant to requirements of the proposed *Meredith International Centre Specific Plan Amendment (Specific Plan Amendment, DEIR Appendix B)* "If entry gates are used, they shall be positioned to allow enough distance for the stacking of at least two (2) trucks on the lot to preclude queuing of trucks on public streets" (Specific Plan Amendment, Section 5.0 E., *Industrial Development Standards*, p. 5-9). The City would ensure compliance with requirements of the Specific Plan Amendment through established City design and development review processes.

Comment AQMD-15

*Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NO<sub>x</sub> impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 Regional Transportation Plan. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed facility and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.*

Response AQMD-15\*

Those measures recommended by SCAQMD and accepted by the Lead Agency are listed below, and are incorporated at EIR Mitigation Measure 4.3.5.1. Notwithstanding, incorporation of the recommended measures would not demonstrably or quantifiably reduce the Project's operational-source NO<sub>x</sub> emissions to levels that are less-than-significant. Project operational-source NO<sub>x</sub> emissions would remain individually and cumulatively significant impacts. Results and conclusions of the EIR are not affected.

4.3.5.1 ...

- **Electrical panels for warehouse facilities shall be appropriately sized to allow for future expanded use to include electric charging for trucks and to provide power for onboard auxiliary equipment.**

Comment AQMD-16

*Since the proposed project generates significant regional NO<sub>x</sub> operational impacts, the SCAQMD staff recommends that the project pro-actively take measures that could reduce emissions sooner*

*rather than later. The SCAQMD staff therefore recommends that the Lead Agency ensure the availability of alternative fueling facility (e.g., natural gas) to serve the project site prior to operation of any large truck operation uses within the project area.*

#### Response AQMD-16

The Lead Agency will consider potential inclusion of, or means to facilitate access to, alternative fueling facilities. At this time, and in the near-term, there is not considered to be demonstrated demand for such alternative fueling facilities, and the mere presence of such facilities locally does not translate to, or is considered causal to, reductions in regional air pollutant emissions otherwise generated by the Project. Moreover, early commitment to such facilities would act to preclude or diminish the potential for incorporation of future more effective and efficient alternatives or technologies. Should market and technology shifts indicate sufficient demand for natural gas fueling facilities, they would be provided at the discretion of developers of the Specific Plan properties. Results and conclusions of the EIR are not affected.

#### Comment AQMD-17

*In addition to the mobile source mitigation measures identified above, the SCAQMD staff recommends the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from VOC, CO, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions during operation. These mitigation measures should be incorporated pursuant to CEQA Guidelines §15126.4, §15369.5.*

- *Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.*
- *Use light colored paving and roofing materials.*
- *Utilize only Energy Star heating, cooling, and lighting devices, and appliances.*
- *Install light colored "cool" roofs and cool pavements.*
- *Limit the use of outdoor lighting to only that needed for safety and security purposes.*
- *Require use of electric or alternatively fueled sweepers with HEPA filters.*
- *Use of water-based or low VOC cleaning products.*

### ***Transportation***

- *Make a commitment to install electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the project site.*
- *Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.*

### ***Other***

- *Provide outlets for electric and propane barbecues in residential areas.*

### **Response AQMD-17\***

Those measures recommended by SCAQMD and accepted by the Lead Agency are listed below, and are incorporated at new EIR Mitigation Measure 4.3.5.1.

#### **4.3.5.1...**

- **Residential products developed within the Project site shall utilize Energy Star heating, cooling, and lighting devices; and Energy Star appliances.**
- **Use of outdoor lighting shall be limited to that needed for safety and security purposes.**
- **Sweepers employed within the Project site shall be non-diesel. Sweepers equipped with High-Efficiency Particulate Arrestance (HEPA) filters are recommended for use if such equipment is available.**
- **Cleaning products shall be water based, or shall be AQMD-certified as “low-VOC” content.**

Notwithstanding, incorporation of the recommended measures would not demonstrably or quantifiably reduce the Project’s operational-source VOC, CO, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions to levels that are less-than-significant. Project operational-source VOC, CO, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions would remain individually and cumulatively significant impacts. Results and conclusions of the EIR are not affected.

\* Of the recommendations listed previously at Comments SCAQMD 14, 15, and 17, the following are implemented by the City through other means; are considered beyond the scope of the Project; are considered unnecessary; or are considered infeasible or unenforceable. Further, the measures cited would not demonstrably or quantifiably reduce Project operational-source emissions. These measures therefore not included in the EIR as mitigation.

SCAQMD Recommended Measure	Remarks
Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors based on guidance from the California Air Resource Board (CARB) guidance.	<p>The buffer zone cited by the commentor is intended as a screening level measure to be employed absent detailed HRA analysis, acting to ensure against potentially significant air quality (TAC, DPM) health impacts. The EIR at Section 4.4, <i>Air Quality</i>, and within the Project HRA (DEIR Appendix D) substantiate that the Project would not result in or cause potentially significant air quality health risks.</p> <p>The AQMD-recommended measure is therefore not included as mitigation. Please refer also to Responses AQMD-4, SCAQMD</p>
Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.	<p>As discussed in the EIR, substantive revisions or changes to any aspect of the Project (including but not limited to increased or otherwise altered truck trip generation) not evaluated in the EIR would, at the discretion of the Lead Agency, be subject to additional environmental analysis (please refer to EIR p. 2-7)</p> <p>The AQMD-recommended measure is therefore not included as mitigation. Please refer also to Response AQMD-11.</p>
On-site equipment should be alternative fueled.	<p>Equipment germane to the Project operations, and that could contribute to potentially significant air quality impacts would be alternatively fueled. Please refer to EIR Section 3.0, <i>Project Description</i>, p. 3-38.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>
Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to traverse through residential neighborhoods.	<p>Off-site truck traffic would be restricted to designated truck routes within the City, thereby minimizing truck travel through residential neighborhoods. Additionally, the Project Land Use Plan concept provides physical separation between commercial/industrial land uses and residential land uses (please refer to EIR Figure 3.4-1, <i>Land Use Plan</i>); and no direct vehicular travel (truck traffic or otherwise) would occur between the Project commercial/industrial land uses and residential land uses.</p>



	<p>The AQMD-recommended measure is therefore not included as mitigation.</p>
<p>Improve traffic flow by signal synchronization.</p>	<p>The Lead Agency, through review and approval of the Project Traffic Impact Analysis (TIA), has ensured that appropriate traffic signal synchronization would be incorporated as part of the Project traffic improvements. Signal synchronization would be implemented through the Project Conditions of Approval.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>
<p>Maximize use of solar energy including solar panels, installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.</p>	<p>Pursuant to EIR Mitigation Measure 4.3.5, “The developer of the industrial phase of the Project (Planning Area 1) will install on the roofs of the warehouse buildings a photo-voltaic electrical generation system (PV system) capable of generating 1,600,000 kilowatt hours per year. The developer may install the required PV system in phases on a pro rata square foot basis as each building is completed; or if the PV system is to be installed on a single building, all of the PV system necessary to supply the PV estimated electrical generation shall be installed within two years (24 months) of the first building that does not include a PV system receives a certificate of occupancy” (EIR p. 1-47, et al.)</p> <p>Additionally, pursuant to Mitigation Measure 4.3.4 “The Project in total would surpass by a minimum of 5 percent, incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Title 24 Energy Efficiency Standards) (DEIR pp. 1-45, 1-46 et al.)</p> <p>The Lead Agency considers the above measures, already incorporated in the EIR, to constitute a full and appropriate commitment by the Project to support the Project’s energy demands through use of alternative fuel sources; and to ensure that the Project in total appropriately and efficiently uses energy resources. In this manner, the Project thereby adequately minimizes building/facilities energy consumption and associated energy consumption emissions.</p>

	<p>The AQMD-recommended measure is therefore not included as mitigation. Please refer also to EIR Section 3.4.10, <i>Energy Efficiency/Sustainability</i>, and EIR Section 5.6, <i>Energy Conservation</i>.</p>
<p>Use light colored paving and roofing materials.</p>	<p>The Project would conform to Design Guidelines and Development Standards articulated within the <i>Meredith International Centre Specific Plan Amendment</i> (Specific Plan Amendment, DEIR Appendix B). Pursuant to the provisions of the Specific Plan Amendment, buildings and facilities within the Specific Plan Area would employ a light-toned color palette (Specific Plan Amendment, p. 6-2. To the extent that light-colored paving and roofing materials would be compatible with the Specific Plan Amendment Design Guidelines and Development Standards, they may be incorporated in the Project final development plans; and could facilitate the Project’s overall requirement to provide a minimum 5 percent improvement on incumbent Title 24 Energy Efficiency Standards. Please refer also to previous related remarks.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>
<p>Install light colored “cool” roofs and cool pavements.</p>	<p>As above.</p>
<p>Make a commitment to install electric car charging stations (not just wiring Infrastructure) for both non-residential and residential uses at the project site.</p>	<p>The Lead Agency will consider potential inclusion of, or means to facilitate access to, electric charging stations. At this time, and in the near-term, there is not considered to be demonstrated demand for such facilities, and the mere presence of such facilities locally does not translate to, or is considered causal to, reductions in regional air pollutant emissions otherwise generated by the Project. Moreover, early commitment to such facilities would act to preclude or diminish the potential for incorporation of future more effective and efficient alternatives or technologies. Should market and technology shifts indicate sufficient demand for electric charging facilities, they would be provided at the discretion of developers of the Specific Plan properties. Results and conclusions of the EIR are not affected.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>
<p>Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.</p>	<p>Light vehicle networks may be included by developers of the Specific Plan residential properties to the extent that such networks would be consistent</p>

	<p>with, and compatible with, the Specific Plan Amendment Design Guidelines, Development Standards, and Circulation Plan. However, at this time, and in the near-term, there is not considered to be demonstrated demand for such facilities, and the mere presence of such facilities locally does not translate to, or is considered causal to, reductions in regional air pollutant emissions otherwise generated by the Project.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>
<p>Provide outlets for electric and propane barbecues in residential areas.</p>	<p>Outlets for electric and propane barbecues in residential areas may be included by developers of the Specific Plan residential properties to the extent that such facilities would be consistent with and compatible with the Specific Plan Amendment Design Guidelines and Development Standards. At this time, and in the near-term, there is not considered to be demonstrated demand for such facilities, and the mere presence of such facilities locally does not translate to, or is considered causal to, reductions in regional air pollutant emissions otherwise generated by the Project.</p> <p>The AQMD-recommended measure is therefore not included as mitigation.</p>

825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.8109 Fax: 909.387.8109

www.SBCounty.gov



Department of Public Works

- Environmental & Construction • Flood Control
- Operations • Solid Waste Management
- Surveyor • Transportation

Gerry Newcombe  
Director

March 11, 2015

File: 10(ENV)-4.01

Richard Ayala, Senior Planner  
City of Ontario  
303 East "B" Street  
Ontario, CA. 91764-4105  
Fax 909-395-2420

RE: CEQA – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MEREDITH INTERNATIONAL CENTRE FOR THE CITY ON ONTARIO

Dear Mr. Ayala:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on January 30, 2015**, and pursuant to our review, the following comments are provided:

DPW-1

**Water Resources Division (Mary Lou Mermilliod, PWE III, 909-387-8213):**

1. In general, it appears that the DEIR has addressed the major concerns of the Flood Control District (District). However, the District's recommendations are most often made for site specific conditions. Consequently, the recommendations made here are general in nature until such time as more detailed plans become available.
2. If encroachment onto District right-of-way is anticipated, a permit shall be obtained from the District. Other on-site or off-site improvements may be required which cannot be determined at this time.
3. At the time of construction, we recommend that the City of Ontario establish adequate provisions for intercepting and conducting the accumulated drainage around or through the sites in a manner which will not affect adjacent or downstream properties.
4. We recommend that the City of Ontario's most current requirements for development in a floodplain be incorporated in design of the site.

DPW-2

DPW-3

DPW-4

DPW-5

**Environmental Management Division (Marc Rodabaugh, Stormwater Program Manager, 909-387-8112):**

1. As this is an amendment to a specific plan, a preliminary WQMP should have been prepared to show the specific mitigation for development impacts on stormwater quality and runoff. However, I don't see one. Currently, the proposed hydrology map shows direct discharges of all flows into the District's channels, which is non-compliant with our current NPDES MS4 permit. Please provide the preliminary WQMP for our review.

DPW-6

BOARD OF SUPERVISORS

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**San Bernardino County, Department of Public Works, Page 2 of 2**

R. Ayala, City of Ontario  
CEQA Comments – DEIR for Meredith International Centre  
March 11, 2015  
Page 2 of 2

If you have any questions, please contact the individual who provided the specific comment, as listed above.

DPW-7

Sincerely,



**NIDHAM ARAM ALRAYES, MSCE, P.E., QSD/P**  
Public Works Engineer III  
Environmental Management

NAA:PE:nh/CEQAComment\_Ontario\_DEIR\_MeredithIntlCtr\_2015-03-11-01.docx

San Bernardino County, Department of Public Works  
825 East Third Street  
San Bernardino, CA 92415

Letter Dated March 11, 2015

Comment DPW-1

*Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. We received this request on January 30, 2015, and pursuant to our review, the following comments are provided:*

Response DPW-1

The commentor's receipt of the Draft EIR is noted.

Comment DPW-2

*In general, it appears that the DEIR has addressed the major concerns of the Flood Control District (District). However, the District's recommendations are most often made for site specific conditions. Consequently, the recommendations made here are general in nature until such time as more detailed plans become available.*

Response DPW-2

The general nature of the comments is acknowledged. No further response is necessary.

Comment DPW-3

*If encroachment onto District right-of-way is anticipated, a permit shall be obtained from the District. Other on-site or off-site improvements may be required which cannot be determined at this time.*

Response DPW-3

As noted, the developer will need to obtain an encroachment permit from the Flood Control District for any work affecting the flood control channels.

Comment DPW-4

*At the time of construction, we recommend that the City of Ontario establish adequate provisions for intercepting and conducting the accumulated drainage around or through the sites in a manner which will not affect adjacent or downstream properties.*

Response DPW-4

The storm drain system has been designed in a manner that will not increase flows on downstream properties. Areas west of the channels will drain directly into the Cucamonga Creek Channel. Areas located east of the channels will be designed with basins that will detain storm drain flows to pre-construction levels and assure that downstream properties are unaffected by the proposed Project.

Comment DPW-5

*We recommend that the City of Ontario's most current requirements for development in a floodplain be incorporated in design of the site.*

Response DPW-5

The Project will be designed and approved consistent with the City's current requirements for development.

Comment DPW-6

*As this is an amendment to a specific plan, a preliminary WQMP should have been prepared to show the specific mitigation for development impacts on stormwater quality and runoff. However, I don't see one. Currently, the proposed hydrology map shows direct discharges of all flows into the District's channels, which is non-compliant with our current NPDES MS4 permit. Please provide the preliminary WQMP for our review.*

Response DPW-6

The City of Ontario has approved a WQMP for Planning Area 1. A copy of the preliminary WQMP will be provided to the commentor for review, as requested. Detailed design of the remaining Planning Areas has not yet been completed. Upon further design refinement, a WQMP will be prepared and approved by the City of Ontario.

Comment DPW-7

*If you have any questions, please contact the individual who provided the specific comment, as listed above.*

Response DPW-7

Contact information is noted.





# CITY OF FONTANA CALIFORNIA

February 17, 2015

Mr. Richard Ayala  
Senior Planner  
City of Ontario  
303 East "B" Street  
Ontario, CA 91764

**RE: NOA of a DEIR for Meredith International Centre General Plan Amendment and Specific Plan Amendment**

Dear Mr. Ayala:

On February 2, 2015, the City of Fontana received information regarding the Notice of Availability of a Draft Environmental Impact report for the Meredith International Centre General Plan Amendment (File No. PGPA13-005) and Specific Plan Amendment (File No. PSPA14-003).

The public review period began on January 30, 2015 to March 15, 2015. At this time, the City has no comments or concerns. Thank you for allowing the City of Fontana to participate in the public review process.

COF-1

Respectfully,

COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

Rina Leung  
Assistant Planner

Ms. Rina Leung  
Assistant Planner  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

Letter Dated February 17, 2015

Comment COF-1

*On February 2, 2015, the City of Fontana received information regarding the Notice of Availability of a Draft Environmental Impact report for the Meredith International Centre General Plan Amendment (File No. PGPA 13-005) and Specific Plan Amendment (File No. PSPA14-003).*

*The public review period began on January 30, 2015 to March 15, 2015. At this time, the City has no comments or concerns. Thank you for allowing the City of Fontana to participate in the public review process.*

Response COF-1

The City's receipt of the Project Draft EIR and participation in the public review process is noted.

## **4.0 MITIGATION MONITORING PLAN**

## 4.0 MITIGATION MONITORING PLAN

---

### 4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring plan has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described at *CEQA Guidelines* §15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented within this Section at Table 4.2-1.

## 4.2 MITIGATION MONITORING AND REPORTING

### **Mitigation Monitoring and Responsibilities**

As the Lead Agency, the City of Ontario is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

**Table 4.2-1  
Meredith International Centre SPA  
Mitigation Monitoring Plan**

*To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<b><u>Traffic and Circulation</u></b>				
<p>4.2.1</p> <ul style="list-style-type: none"> <li>• <i>Prior to the issuance of building permits, the Project Applicant shall pay requisite fees toward the construction of the improvements summarized at Table 4.2-21 at the intersection of: I-10 EB Ramp at 4th Street (Study Area Intersection 14);</i></li> <li>• <i>Prior to the issuance of the first Certificate of Occupancy for the Project, the Project Applicant shall construct the improvements summarized at Table 4.2-21 at the intersection of: Haven Avenue at Inland Empire Boulevard (Study Area Intersection 30).</i></li> </ul>	Prior to issuance of building permits and first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify payment of fees and completion of improvements prior to issuance of building permits and first Certificate of Occupancy.
<p>4.2.2</p> <p><i>Prior to the issuance of building permits, the Project Applicant shall pay requisite fees toward the construction of Year 2017 improvements as summarized at Table 4.2-21 at the intersections of:</i></p> <ul style="list-style-type: none"> <li>• <i>Archibald Avenue at Arrow Route (Study Area Intersection 2);</i></li> <li>• <i>I-10 EB Ramp at 4<sup>th</sup> Street (Study Area Intersection 14); and</i></li> <li>• <i>Haven Avenue at 4<sup>th</sup> Street (Study Area Intersection 25).</i></li> </ul>	Prior to issuance of building permits.	Applicant	City of Ontario, Planning Department	City shall verify payment of fees at issuance of building permits.
<p>4.2.3</p> <p><i>Prior to the issuance of building permits, the Project Applicant shall pay requisite fees toward the construction of Year required 2020 improvements as summarized at Table 4.2-21 at the intersections of:</i></p> <ul style="list-style-type: none"> <li>• <i>Archibald Avenue at Arrow Route (Study Area Intersection 2);</i></li> </ul>	Prior to issuance of building permits.	Applicant	City of Ontario, Planning Department	City shall verify payment of fees at issuance of building permits.

**Table 4.2-1  
Meredith International Centre SPA  
Mitigation Monitoring Plan**

*To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<ul style="list-style-type: none"> <li>• I-10 EB Ramp at 4<sup>th</sup> Street (Study Area Intersection 14);</li> <li>• Archibald Avenue at 4<sup>th</sup> Street (Study Area Intersection 23)</li> <li>• Haven Avenue at 4<sup>th</sup> Street (Study Area Intersection 25);</li> <li>• Archibald Avenue at Inland Empire Boulevard (Study Area Intersection 28); and</li> <li>• Vineyard Avenue at I-10 EB Ramps (Study Area Intersection 32)</li> </ul>				
<p>4.2.4 Prior to the issuance of building permits, the Project Applicant shall pay requisite fees toward the construction of Year 2035 improvements as summarized at Table 4.2-24 at the intersections of:</p> <ul style="list-style-type: none"> <li>• Archibald Avenue at Arrow Route (Study Area Intersection 2);</li> <li>• Baker Avenue at 8<sup>th</sup> Street (Study Area Intersection 3);</li> <li>• Hellman Avenue at 6<sup>th</sup> Street (Study Area Intersection 9);</li> <li>• Haven Avenue at 6<sup>th</sup> Street (Study Area Intersection 12);</li> <li>• Vineyard Avenue at 4<sup>th</sup> Street (Study Area Intersection 20);</li> <li>• Archibald Avenue at 4<sup>th</sup> Street (Study Area Intersection 23);</li> <li>• Haven Avenue at 4<sup>th</sup> Street (Study Area Intersection 25); and</li> <li>• Archibald Avenue at Inland Empire Boulevard (Study Area Intersection 28)</li> </ul>	Prior to issuance of building permits.	Applicant	City of Ontario, Planning Department	City shall verify payment of fees at issuance of building permits.
<p>4.2.5 Prior to the issuance of building permits, the Project applicant shall participate in the City’s DIF program and in addition shall pay the Project’s fair share for the</p>	Prior to issuance of building permits.	Applicant	City of Ontario, Planning Department	City shall verify payment of fees at issuance of building permits.

**Table 4.2-1  
Meredith International Centre SPA  
Mitigation Monitoring Plan**

*To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><i>improvements identified at Mitigation Measures 4.2.1 through 4.2.4 in the amount(s) agreed to by the City and Project Applicant. The City shall ensure that the improvements specified at Mitigation Measures 4.2.1 through 4.2.4 which are under the City of Ontario jurisdiction be constructed pursuant to the fee program at that point in time necessary to avoid identified potentially significant impacts.</i></p>				
<p><i>4.2.6 Certain of the improvements identified at Mitigation Measures 4.2.1 through 4.2.4 are proposed for intersections that either share a mutual border with the City of Rancho Cucamonga or are wholly located within the City of Rancho Cucamonga. Because the City of Ontario does not have plenary control over intersections that share a border with the City of Rancho Cucamonga or are wholly located within the City of Rancho Cucamonga, the City of Ontario cannot guarantee that such improvements will be constructed. Thus, the following additional mitigation is required: The City of Ontario shall participate in a multi-jurisdictional effort with the City of Rancho Cucamonga to develop a study to identify fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary to implement the improvements identified at Mitigation Measures 4.2.1 through 4.2.4 that are located in the City of Rancho Cucamonga. The study shall include fair-share contributions related to private and or public development based on nexus requirements contained in the Mitigation Fee</i></p>	<p>Prior to issuance of final phase occupancy permits.</p>	<p>City of Ontario, City of Rancho Cucamonga</p>	<p>City of Ontario, Planning Department</p>	<p>City shall verify completion of the study prior to the issuance of final phase occupancy permits.</p>



**Table 4.2-1  
Meredith International Centre SPA  
Mitigation Monitoring Plan**

*To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><i>Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. §15126.4(a)(4) and, to this end, the study shall recognize that impacts attributable to City of Rancho Cucamonga facilities that are not attributable to development located within the City of Ontario are not paying in excess of such developments' fair share obligations. The fee study shall also be compliant with Government Code § 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other agreed-upon relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Because the City of Ontario and the City of Rancho Cucamonga are responsible to implement this mitigation measure, the Project Applicant shall have no compliance obligations with respect to this Mitigation Measure.</i></p>	<p><i>Prior to issuance of final certificate of occupancy.</i></p>	<p><i>Applicant</i></p>	<p><i>City of Ontario, Planning Department</i></p>	<p><i>City shall verify receipt of fees before issuance of certificate of occupancy.</i></p>
<p><i>4.2.7 Fair-share amount(s) agreed to by the City and Project Applicant for non-DIF improvements at intersections that share a mutual border with the City of Rancho Cucamonga, or are wholly located within the City of Rancho Cucamonga, shall be paid by the Applicant to the City of Ontario prior to the issuance of the Project's final certificate of occupancy. The City of Ontario shall hold the Project Applicant's Fair Share Contribution in trust and shall apply the Project Applicant's Fair Share Contribution to any fee program adopted or agreed upon by the City of Ontario and the City of Rancho Cucamonga as a result of implementation of Mitigation</i></p>				

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><i>Measure 4.2.6. If, within five (5) years of the date of collection of the Project Applicant's Fair Share Contribution the City of Ontario and the City of Rancho Cucamonga do not comply with Mitigation Measure 4.2.6, then the Project Applicant's Fair Share Contribution shall be returned to the Project Applicant.</i></p>				
<p><i>4.2.8 Certain of the improvements identified at Mitigation Measures 4.2.1 through 4.2.4 are proposed for intersections under shared City of Ontario/Caltrans jurisdiction. Because the City of Ontario does not have plenary control over intersections under shared City of Ontario/Caltrans jurisdiction, the City of Ontario cannot guarantee that such improvements will be constructed. Thus, the following additional mitigation is required: The City of Ontario shall participate in a multi-jurisdictional effort with Caltrans to develop a study to identify fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary to implement the improvements identified at Mitigation Measures 4.2.1 through 4.2.4 that are under shared City of Ontario/Caltrans jurisdiction. The study shall include fair-share contributions related to private and or public development based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. §15126.4(a)(4) and, to this end, the study shall recognize that impacts attributable to Caltrans facilities that are not attributable to development located within the City of Ontario are not paying in excess</i></p>	<p><i>Prior to issuance of final phase occupancy permits.</i></p>	<p><i>City of Ontario, Caltrans</i></p>	<p><i>City of Ontario, Planning Department</i></p>	<p><i>City shall verify completion of the study prior to the issuance of final phase occupancy permits.</i></p>

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/ Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><i>of such developments' fair share obligations. The fee study shall also be compliant with Government Code § 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other agreed-upon relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Because the City of Ontario and Caltrans are responsible to implement this mitigation measure, the Project Applicant shall have no compliance obligations with respect to this Mitigation Measure.</i></p>				
<p><i>4.2.9 Fair-share amount(s) agreed to by the City and Project Applicant for non-DIF improvements at intersections that are under City of Ontario/Caltrans jurisdiction, shall be paid by the Applicant to the City of Ontario prior to the issuance of the Project's final certificate of occupancy. The City of Ontario shall hold the Project Applicant's Fair Share Contribution in trust and shall apply the Project Applicant's Fair Share Contribution to any fee program adopted or agreed upon by the City of Ontario and Caltrans as a result of implementation of Mitigation Measure 4.2.8. If, within five (5) years of the date of collection of the Project Applicant's Fair Share Contribution the City of Ontario and Caltrans do not comply with Mitigation Measure 4.2.8, then the Project Applicant's Fair Share Contribution shall be returned to the Project Applicant.</i></p>	<p>Prior to issuance of final certificate of occupancy.</p>	<p>Applicant</p>	<p>City of Ontario, Planning Department</p>	<p>City shall verify receipt of fees before issuance of certificate of occupancy.</p>

**Table 4.2-1  
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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><b><u>Air Quality</u></b></p> <p>4.3.1 <i>The following requirements shall be incorporated into Project plans and specifications in order to ensure implementation of SCAQMD Rule 403 and limit fugitive dust emissions:</i></p> <ul style="list-style-type: none"> <li>• <i>All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour;</i></li> <li>• <i>The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day;</i></li> <li>• <i>The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less; and</i></li> <li>• <i>Only “Zero-Volatile Organic Compounds” paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.</i></li> </ul>	Prior to building plan check.	Applicant.	City of Ontario.	At building plan check.
<p>4.3.2 <i>Grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling.</i></p>	Prior to the issuance of grading plans.	Applicant	City of Ontario, Planning Department	At issuance of grading plans.

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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/Reporting Entity	Monitoring/Reporting Frequency
<p>4.3.3 <del>During grading activity, all rubber tired dozers and scrapers (<math>\geq</math> 150 horsepower) shall be CARB Tier 3 Certified or better. Additionally, during grading activity, total horsepower-hours per day for all equipment shall not exceed 149,840; and the maximum (actively graded) disturbance area shall not exceed 26 acres per day. <u>Construction contractors for development proposals within the Project site shall ensure implementation of, and compliance with, the following provisions and performance standards:</u></del></p> <ul style="list-style-type: none"> <li>• <u>Equipment meeting CARB Tier 4 standards is recommended for use if such equipment is available. All construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by the CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.<sup>1</sup></u></li> <li>• <u>Diesel trucks employed for site construction activities shall meet Environmental Protection Agency (EPA) 2007 model year NO<sub>x</sub> emissions requirements.</u></li> </ul>	During grading activity.	Construction contractor(s)	City of Ontario, Planning Department	Ongoing throughout grading activity.

<sup>1</sup> Equipment meeting Tier 4 standards is not generally or widely available at present.

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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/Reporting Entity	Monitoring/Reporting Frequency
<ul style="list-style-type: none"> <li><u><i>A copy of each piece of construction equipment's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</i></u></li> <li><u><i>Construction contractors are encouraged to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) funds. Please contact SCAQMD or refer to information provided at: &lt;<a href="http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades">http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades</a>&gt;</i></u></li> </ul>	Prior to issuance of building permits.	Applicant	City of Ontario, Planning Department	At issuance of building permits.
<p>4.3.4 <i>Prior to the issuance of building permits, the Project Applicant shall submit energy demand calculations to the City (Planning and Building Departments) demonstrating that the increment of the Project for which building permits are being requested would achieve a minimum 5% increase in energy efficiencies beyond incumbent California Building Code Title 24 performance standards. Representative energy efficiency/energy conservation measures to be incorporated in the Project would include, but would not be limited to, those listed below (it being understood that the items listed below are not all required and merely present examples; the list is not all-inclusive and other features that would comparably reduce energy consumption and promote energy conservation would also be acceptable):</i></p>				

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<ul style="list-style-type: none"> <li>• Increase in insulation such that heat transfer and thermal bridging is minimized;</li> <li>• Limit air leakage through the structure and/or within the heating and cooling distribution system;</li> <li>• Use of energy-efficient space heating and cooling equipment;</li> <li>• Installation of electrical hook-ups at loading dock areas;</li> <li>• Installation of dual-paned or other energy efficient windows;</li> <li>• Use of interior and exterior energy efficient lighting that exceeds then incumbent California Title 24 Energy Efficiency performance standards;</li> <li>• Installation of automatic devices to turn off lights where they are not needed;</li> <li>• Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings;</li> <li>• Design of buildings with “cool roofs” using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors;</li> <li>• Design of buildings to accommodate photo-voltaic solar electricity systems or the installation of photo-voltaic solar electricity systems; and</li> <li>• Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.</li> </ul>				

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p>4.3.5 The developer of the industrial phase of the Project (Planning Area 1) will install on the roofs of the warehouse buildings a photo-voltaic electrical generation system (PV system) capable of generating 1,600,000 kilowatt hours per year.<sup>2</sup> The developer may install the required PV system in phases on a pro rata square foot basis as each building is completed; or if the PV system is to be installed on a single building, all of the PV system necessary to supply the PV estimated electrical generation shall be installed within two years (24 months) of the first building that does not include a PV system receives a certificate of occupancy.</p>	<p>Prior to issuance of first building permit.</p>	<p>Planning Area 1 Developer</p>	<p>City of Ontario, Planning Department</p>	<p>City to verify before issuance of first building permit.</p>
<p><u>4.3.5.1 The following measures shall be implemented in order to reduce Project operational-source VOC, NOx, CO, PM<sub>10</sub> and PM<sub>2.5</sub> emissions:</u></p> <ul style="list-style-type: none"> <li>• <u>The Lead Agency shall consider incentives and phase-in schedules for alternatively fueled trucks.</u></li> <li>• <u>The final Project site plan(s) shall be designed such that any truck check-in points are located sufficiently interior to the Project site to preclude queuing of trucks onto public streets and minimize truck idling times.</u></li> <li>• <u>Truck routes shall be clearly marked acting to minimize the potential for truck traffic through residential areas.</u></li> <li>• <u>Truck operators with year 2006 or older trucks shall apply in good faith for Carl Moyer, VIP,</u></li> </ul>	<p>Prior to issuance of building permits.</p>	<p>Applicant</p>	<p>City of Ontario, Planning Department</p>	<p>At issuance of building permits.</p>

<sup>2</sup>This electricity generation estimate is based on the amount of electricity to be consumed within Planning Area 1 at buildout and full occupancy.



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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/Reporting Entity	Monitoring/Reporting Frequency
<p><u>Prop 1B or similar funding to replace/retrofit their trucks with cleaner-than-required engines, equipment, and emission reduction technologies. Should funds be awarded, the recipient shall accept and use them for their intended purpose(s).</u></p> <ul style="list-style-type: none"> <li><u>Electrical panels for warehouse facilities shall be appropriately sized to allow for future expanded use to include electric charging for trucks and to provide power for onboard auxiliary equipment.</u></li> <li><u>Residential products developed within the Project site shall utilize Energy Star heating, cooling, and lighting devices; and Energy Star appliances.</u></li> <li><u>Use of outdoor lighting shall be limited to that needed for safety and security purposes.</u></li> <li><u>Sweepers employed within the Project site shall be non-diesel. Sweepers equipped with High-Efficiency Particulate Arrestance (HEPA) filters are recommended for use if such equipment is available.</u></li> <li><u>Cleaning products shall be water based, or shall be AQMD-certified as "low-VOC" content.</u></li> </ul>				
<p>4.3.6 Residential units within the Project site shall include the installation and maintenance of air filtration systems with efficiencies equal to or exceeding a Minimum Efficiency Reporting Value (MERV) 16 as defined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2.</p>	<p>Prior to issuance of first building permit.</p>	<p>Applicant</p>	<p>City of Ontario, Planning Department</p>	<p>City to verify Title 24 enhanced compliance before issuance of first building permit.</p>

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<b>Noise</b>	<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
4.5.1	<i>Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating Project construction activities shall occur between the permitted hours of 7:00 a.m. and 6:00 p.m. on weekdays, or Saturdays, and between 9:00 a.m. and 6:00 p.m. on Sundays. The Project construction supervisor shall ensure compliance with the note and the City shall conduct periodic inspection at its discretion.</i>	Prior to approval of grading plans and/or issuance of building permits.	Applicant	City of Ontario, Planning Department	At approval of grading plans and/or issuance of building permits.
4.5.2	<i>Install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project construction occurs near existing noise-sensitive structures. The noise control barrier must present a solid face from top to bottom. The noise control barrier must be high enough and long enough to block the view of the noise source. Unnecessary openings shall not be made.</i>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.
	<ul style="list-style-type: none"> <li><i>The noise barriers must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.</i></li> <li><i>The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.</i></li> </ul>				

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
4.5.3 <i>During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receivers nearest the Project site.</i>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.
4.5.4 <i>The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receivers nearest the Project site (i.e., to the south) during all Project construction.</i>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.
4.5.5 <i>The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, or Saturdays, and between 9:00 a.m. and 6:00 p.m. on Sundays). The Project Applicant shall prepare a haul route exhibit for review and approval by the City of Ontario Planning Division prior to commencement of construction activities. The haul route exhibit shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.</i>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
4.5.6 <i>First floor residential patio areas adjacent to Inland Empire Boulevard shall include the construction of 6-foot high noise barriers.</i>	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify before issuance of first Certificate of Occupancy.
4.5.7 <i>All residential uses proposed within the Specific Plan shall be equipped with a means of mechanical ventilation (e.g., air conditioning).</i>	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify before issuance of first Certificate of Occupancy.
4.5.8 <i>All second floor residential façades facing Inland Empire Boulevard shall require upgraded windows with a minimum STC rating of 29.</i>	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify before issuance of first Certificate of Occupancy.
4.5.9 <i>If the Project is developed under the Option A scenario: Construct the recommended 8-foot high noise barriers at the western and eastern boundaries of Planning Area 4, as shown on Exhibit 10-A of the Noise Impact Analysis.</i>	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify before issuance of first Certificate of Occupancy.
4.5.10 <i>If the Project is developed under the Option B scenario:</i> <ul style="list-style-type: none"> <li>• <i>Construct the recommended 8-foot high noise barriers at the western and eastern boundaries of Planning Area 4, as shown on Exhibit 10-B of the Noise Impact Analysis.</i></li> <li>• <i>Construct the recommended 8-foot high noise barrier at the southern property boundary at the existing school, as shown on Exhibit 10-B of the Noise Impact Analysis.</i></li> </ul>	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Ontario, Planning Department	City shall verify before issuance of first Certificate of Occupancy.
4.5.11 <i>All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.</i>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.
4.5.12 <i>Maintain quality pavement conditions that are free of bumps to minimize truck noise.</i>	Ongoing throughout Project operations.	Future tenant.	City of Ontario, Planning Department	Ongoing throughout Project operations.

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p>4.5.13 <i>The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:</i></p> <ul style="list-style-type: none"> <li>• <i>Truck drivers shall turn off engines when not in use;</i></li> <li>• <i>Diesel trucks servicing the Project shall not idle for more than five (5) minutes; and</i></li> <li>• <i>Post telephone numbers of the building facilities manager to report violations.</i></li> </ul>	Ongoing throughout Project operations.	Future tenant.	City of Ontario, Planning Department	Ongoing throughout Project operations.
<p>4.5.14 <i>The operation of heavy equipment shall only occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, or Saturdays, and between 9:00 a.m. and 6:00 p.m. on Sundays, and avoided at the Project site boundary nearest receiver location R4 whenever feasible.</i></p>	Throughout construction	Construction contractor.	City of Ontario, Planning Department	Ongoing throughout construction activity.

**Hazards/Hazardous Materials**

<p>4.6.1 <i>Prior to the issuance of grading permits, soil samples shall be taken from various areas of the Project site. Any soils found to contain pesticide levels in excess of the residential and/or industrial/commercial soil screening levels (presented in Table 4.6-1 of this EIR) shall be treated onsite or disposed of offsite, consistent with Section 4.6.4.5 of this EIR. Additional samples shall be collected from the perimeter and bottom of the excavation to confirm that pesticide concentrations in excess of the screening levels do not remain. Any additional impacted soil identified during this process shall be removed and additional confirmatory samples shall be obtained until non-actionable concentrations are obtained.</i></p>	Prior to the issuance of grading permits.	Applicant and contractor(s)	City of Ontario, Planning Department.	City shall verify prior to the issuance of grading permits. All soil reports will be submitted to the City Building Division.
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Meredith International Centre SPA  
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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p>4.6.2 <i>Prior to demolition or major renovations to the Italo M. Bernt School, a comprehensive asbestos and LBP survey shall be completed of suspect materials. If discovered, ACMs and peeling LBP shall be removed and disposed of by a State-licensed abatement contractor prior to demolition/renovation. Similarly, if during grading activities, buried asbestos-containing transite pipes are discovered, these materials shall also be removed and disposed of by a State-licensed abatement contractor.</i></p>	<p>Prior to the issuance of grading permits.</p>	<p>Applicant and contractor(s)</p>	<p>City of Ontario, Planning Department.</p>	<p>City shall verify prior to the issuance of grading permits. All soil reports will be submitted to the City Building Division.</p>

*The Project developer shall submit documentation to the City Building Department that asbestos and lead-based paint issues are not applicable to their property, or that appropriate actions, as detailed in Section 4.6.4.5 of this EIR, will be taken to abate asbestos or lead-based paint issues prior to development of the site.*

**Biological Resources**

<p>4.9.1 <del><i>Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all</i></del> <b>All</b> <i>suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any</i></p>	<p>Throughout construction.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department.</p>	<p>Ongoing throughout construction. Applicant shall provide survey results to City Planning Department.</p>
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**Table 4.2-1  
Meredith International Centre SPA  
Mitigation Monitoring Plan**

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<p><i>active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.</i></p> <p>4.9.2 <i>Burrowing Owl Avoidance: Breeding season avoidance measures for the burrowing owl including, but not limited to, those that follow shall be implemented. A pre-construction survey for resident burrowing owls shall be conducted by a qualified Project Biologist within <del>14</del> 30 days prior to construction activities. If ground-disturbing activities are delayed or suspended for more than <del>14</del> 30 days after the pre-construction survey, the site will be resurveyed for owls. Pre-construction survey methodology shall be based on Appendix D (Breeding and Non-breeding Season Surveys and Reports) of the CDFW Staff Report on Burrowing Owl Mitigation (CDFW) March 7, 2012 (CDFW Burrowing Owl Mitigation Staff Report). Results of the pre-construction survey shall be provided to CDFW and the City. <u>Should any burrowing owl be found on site, CDFW shall be notified of such within 24 hours.</u> If the pre-construction survey does not identify burrowing owls on the Project site, then no further mitigation shall be</i></p>	<p><i>Within 30 days prior to disturbance at the Project site.</i></p>	<p><i>Applicant, Project Biologist</i></p>	<p><i>City of Ontario, Planning Department</i></p>	<p><i>City shall verify receipt of California Department of Fish and Wildlife approval of Avoidance Plan and results of Plan from Biologist.</i></p>

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<p><i>required. If burrowing owls are found to be utilizing the Project site during the pre-construction survey, measures shall be developed by the Project Biologist in coordination with CDFW to avoid impacting occupied burrows during the nesting period. These measures shall be based on the most current CDFW protocols and would minimally include establishment of buffer setbacks from occupied burrows and owl monitoring during Project construction activities.</i></p>				
<p>4.9.3 <i>Burrowing Owl Passive Exclusion: During the non-breeding season (September 1 through January 31), if burrows occupied by migratory or non-migratory resident burrowing owls are detected during a pre-construction survey, then burrow exclusion and/or closure may be used to passively exclude owls from those burrows. Burrow exclusion and/or closure shall only be conducted by the Project Biologist in consultation and coordination with CDFW employing incumbent CDFW guidelines.</i></p>	<p>Within 30 days prior to disturbance at the Project site.</p>	<p>Applicant, Project Biologist</p>	<p>City of Ontario, Planning Department</p>	<p>City shall verify receipt of California Department of Fish and Wildlife approval of Avoidance Plan and results of Plan from Biologist.</p>
<p>4.9.4 <i>Mitigation for Displaced Owls: In consultation with the City, Project Applicant, Project Biologist, and CDFW, and consistent with mitigation strategies outlined in the CDFW Burrowing Owl Mitigation Staff Report, a mitigation plan shall be developed for the “take” of any owls displaced through Project construction activities. Strategies may include, but are not limited to, participation in the permanent conservation of off-site habitat</i></p>	<p>Prior to issuance of grading permits.</p>	<p>Applicant, Project Biologist</p>	<p>City of Ontario, Planning Department</p>	<p>City shall verify receipt of California Department of Fish and Wildlife approval of Exclusion Plan and results of Plan from Biologist.</p>



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<p><i>replacement area(s), and/or purchase of available burrowing owl conservation bank credits.</i></p>				
<p>4.9.5 <i>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Applicant shall obtain a Regional Board 401 Certification, or a written waiver of the requirement for such an agreement or permit, from the California Regional Water Quality Control Board. Written verification of such a permit or waiver shall be provided to the City of Ontario Planning Department.</i></p>	<p>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At issuance of any grading permits.</p>
<p>4.9.6 <i>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from the California Department of Fish and Wildlife. Information to be provided as part of the Streambed Alteration Agreement (if required) shall include but not be limited to the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);</i></li> <li>• <i>Discussion of avoidance measures to reduce project impacts; and,</i></li> </ul>	<p>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas.</p>

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<b>Mitigation Measures</b>	<b>Mitigation Timing</b>	<b>Implementation Entity</b>	<b>Monitoring/Reporting Entity</b>	<b>Monitoring/Reporting Frequency</b>
<ul style="list-style-type: none"> <li>Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.</li> </ul> <p>Written verification of such a streambed alteration agreement/permit, or waiver, shall be provided to the City of Ontario Planning Department.</p>				
<p>4.9.7 <i>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Applicant shall obtain a 404 permit, or a written waiver of the requirement for such an agreement or permit, from the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the City of Ontario Planning Department.</i></p>	<p>Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas.</p>
<p><b><u>Geology and Soils</u></b></p> <p>4.10.1 <i>Design and development of the Project shall comply with recommendations and performance standards identified within the Final Geotechnical Study. Where the Project Geotechnical Study is silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.</i></p>	<p>Prior to building plan check.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At building plan check.</p>
<p><b><u>Cultural Resources</u></b></p> <p>4.11.1 <i>Prior to development approval on the Project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the Project applicant(s) shall include the following wording on all construction contract documentation:</i></p>	<p>Prior to development approval on the Project site and issuance of any grading, building, or other permit.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At development approval on the Project site and issuance of any grading, building, or other permit.</p>

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<p><i>“If during grading or construction activities, cultural resources are discovered on the Project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and any affected Tribes (Tribes). Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and if the qualified archaeologist and the Tribe determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required under Mitigation Measure <del>4.9.2</del> <b>4.11.2</b>.”</i></p>				
<p>4.11.2 <i>At least 30 days prior to seeking a grading permit, the Project applicant(s) shall contact potentially affected Tribes to notify the Tribes of grading, excavation, and the monitoring program and to coordinate with the City of Ontario and the Tribes to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; Project grading and development scheduling;</i></p>	<p>At least 30 days prior to seeking a grading permit.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At issuance of grading permit.</p>

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<p><i>terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.</i></p>	<p>Prior to development approval on the Project site and issuance of any grading, building, or other permit.</p>	<p>Applicant.</p>	<p>City of Ontario, Planning Department</p>	<p>At development approval on the Project site and issuance of any grading, building, or other permit.</p>
<p><i>4.11.3 Prior to development approval on the Project site and issuance of any grading, building, or other permit authorizing ground-disturbing activity, the Project applicant(s) shall include the following wording on all construction contract documentation:</i></p> <p><i>“If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the San Bernardino County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable time frame. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant” within 24 hours of receiving notification from the coroner. The most likely descendant shall then</i></p>				

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<i>have 48 hours to make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98"</i>				
<i>4.11.4 All cultural materials, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by Mitigation Measure <del>4.9.2</del> <u>4.11.2</u>, that are collected during the grading monitoring program and from any previous archeological studies or excavations on the Project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the affected Tribe's/Tribes' curation facility(ies), which meets the standards set forth in 36 CRF Part 79 for federal repositories.</i>	<i>Throughout grading/prior to issuance of building permit.</i>	<i>Qualified professional archeologist/ Applicant.</i>	<i>City of Ontario, Planning Department</i>	<i>At issuance of building permit.</i>
<i>4.11.5 All sacred sites, should they be encountered within the Project site, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified professional in consultation with the affected Tribe(s). To the extent that a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4.</i>	<i>Throughout grading.</i>	<i>Construction contractor.</i>	<i>City of Ontario, Planning Department</i>	<i>Ongoing throughout grading.</i>
<i>4.11.6 Prior to development approval on the Project site and issuance of any grading, building, or other permit</i>	<i>Prior to development approval on the Project</i>	<i>Applicant.</i>	<i>City of Ontario,</i>	<i>At development approval on the Project site and</i>

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<p><i>authorizing ground-disturbing activity, the Project applicant(s) shall include the following wording on all construction contract documentation:</i></p> <p><i>“If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery. The developer, the Project archeologist, and the Tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the developer and the Tribe cannot agree on the significance of or the mitigation for such resources, these issues will be presented to the City of Ontario Planning Director. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe(s). Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Ontario. In the event the significant resources are recovered and if the qualified archaeologist determines the resources to be historic or unique as defined by relevant state and local law, avoidance and mitigation would be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4.”</i></p>	<p>site and issuance of any grading, building, or other permit.</p>	<p>Applicant.</p>	<p>City of Ontario,</p>	<p>Throughout construction, or until the qualified</p>
<p>4.11.7 <i>To address the possibility that cultural resources may be encountered during grading or construction, a qualified</i></p>	<p>Throughout construction.</p>	<p>Applicant.</p>	<p>City of Ontario,</p>	<p>Throughout construction, or until the qualified</p>

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<p><i>professional archeologist shall monitor all construction activities that could potentially impact archaeological deposits (e.g., grading, excavation, and/or trenching). However, monitoring may be discontinued as soon the qualified professional is satisfied that construction will not disturb cultural and/or paleontological resources.</i></p>			Planning Department	professional archeologist is satisfied that construction will not disturb cultural and/or paleontological resources.
<p>4.11.8 <i>Any excavation exceeding eight feet below the current grade shall be monitored by a qualified paleontologist. If older alluvial deposits are encountered at shallower depths, monitoring shall be initialed once these deposits are encountered. A qualified paleontologist is defined as an individual with an M.S. or a Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques. A paleontological monitor may be retained to perform the on-site monitoring in place of the qualified paleontologist.</i></p> <p><i>The paleontological monitoring program should follow the local protocols of the Western Center (Hemet) and/or the San Bernardino County Museum and a paleontological monitoring plan should be developed prior to the ground altering activities. The extent and duration of the monitoring can be determined once the grading plan is understood and approved. The paleontological monitor shall have the authority to halt any Project-related activities that may be adversely impacting potentially significant resources. If paleontological resources are uncovered or otherwise identified, they shall be recovered,</i></p>	Throughout grading and excavation activities.	Applicant.	City of Ontario, Planning Department	At issuance of a building permit.

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<i>analyzed in accordance with standard guidelines, and curated with the appropriate facility (e.g., the Western Center at the Diamond Valley Reservoir, Hemet).</i>				